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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

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CENTRAL VALLEY AUDITORIUM
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SACRAMENTO, CALIFORNIA

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9:30 A.M.

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LICENSE NUMBER 10063

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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Dan Eaton

Steven R. Jones

Jose Medina

Michael Paparian

David Roberti

STAFF

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Kathryn Tobias, Chief Counsel

Terry Jordan, Deputy Director

Julie Nauman, Acting Chief Deputy Director

Rubia Packard, Assistant Director

Pat Schiavo, Deputy Director

Scott Walker, Acting Deputy Director

Patty Wohl, Deputy Director

Elliot Block, Staff Counsel

Nick Cavagnaro

Kathy Davis

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Keith Kennedy

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1 PROCEEDINGS

2 CHAIRPERSON MOULTON-PATTERSON: Good morning.

3 And welcome to our July Board meeting of the California
4 Integrated Waste Management Board.

5 Would the secretary please call the roll.

6 SECRETARY VILLA: Eaton?

7 BOARD MEMBER EATON: Here.

8 SECRETARY VILLA: Jones?

9 BOARD MEMBER JONES: Here.

10 SECRETARY VILLA: Medina?

11 BOARD MEMBER MEDINA: Here.

12 SECRETARY VILLA: Paparian?

13 BOARD MEMBER PAPARIAN: Here.

14 SECRETARY VILLA: Roberti?

15 Molton-Patterson?

16 CHAIRPERSON MOULTON-PATTERSON: Here.

17 Would you please join me in the Pledge of
18 Allegiance to the flag.

19 (Thereupon the Pledge of Allegiance was
20 recited in unison.)

21 CHAIRPERSON MOULTON-PATTERSON: Thank you.

22 Ex partes?

23 Mr. Eaton.

24 BOARD MEMBER EATON: Just one with Mark Aprea
25 just now on legislation.

1 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

2 BOARD MEMBER JONES: I've got a few because
3 Jeannine's not around. So Tom Sanchez, Alex Osogura and
4 George Larson on the Central Valley Permit. Kelly Aster
5 on inert disposal issues. John Cups on conformance
6 findings. And Yvonne Hunter on inert materials.

7 CHAIRPERSON MOULTON-PATTERSON: Mr. Medina.

8 BOARD MEMBER MEDINA: I'm up to date.

9 CHAIRPERSON MOULTON-PATTERSON: Thank you.
10 Mr. Paparian.

11 BOARD MEMBER PAPARIAN: I'm up to date.

12 CHAIRPERSON MOULTON-PATTERSON: Thank you.

13 And I'm up to date with the exception of the
14 letter I received, notification of the amendment of San
15 Francisco's nondisposable facility element, the fact that
16 the San Francisco Board of Supervisors considered and
17 approved unanimously Resolution 021165. And I believe we
18 have the actual copy; is that right, Mr. Leary?

19 EXECUTIVE DIRECTOR LEARY: Yes, Madam Chair, we
20 have a signed copy of the transmittal of the notice of the
21 passage of the Resolution.

22 CHAIRPERSON MOULTON-PATTERSON: Thank you.

23 And as I said, welcome to the audience. There
24 are speaker slips in the back. And if you just give them
25 to Ms. Villa over here, she will make sure that we hear

1 your remarks. Please put the item number on your speaker
2 slip.

3 Also I'd like to remind you to turn off all cell
4 phones and pagers. And that reminds me. Where is it?
5 Excuse me.

6 Most embarrassing if mine rings now.

7 Okay. Thanks.

8 Okay. Reports. Any report?

9 Mr. Eaton.

10 BOARD MEMBER EATON: Yes. But I think the only
11 thing I'd like to say this morning is that Lisa Dominguez
12 of my office a few days ago had a little baby girl,
13 Gabriella Fay. So I think that's probably the best news I
14 can give today.

15 CHAIRPERSON MOULTON-PATTERSON: That's great.
16 Give her our congratulations.

17 BOARD MEMBER EATON: I will. Thank you.

18 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

19 BOARD MEMBER JONES: Thanks, Madam Chair.

20 Do you want our Committee reports too at this
21 time?

22 CHAIRPERSON MOULTON-PATTERSON: I usually call as
23 we go along.

24 BOARD MEMBER JONES: Not a problem.

25 Okay, just the events. On the 21st I was one of

1 the speakers at the Alameda County Waste Management
2 Authority's grand opening of the Waste Management Davis
3 Street Transfer MERF facility that was a real
4 public-private partnership with some financial subsidies
5 through the authority to make sure that that happens.

6 And then last week at CRRA I participated in a
7 couple of panels, one that I -- one on zero waste and then
8 one on a panel with Darrell Young from DOC, Katie Krebbs
9 from the NRC and Jerry Brown, our former governor, that
10 was pretty wide open and pretty interesting. It was a
11 good day.

12 So that's been all -- that's it for the events.

13 CHAIRPERSON MOULTON-PATTERSON: Thank you.

14 Mr. Medina.

15 BOARD MEMBER MEDINA: Thank you, Madam Chair.

16 I'd like to report on my attendance at the
17 California Resource Recovery Association Conference held
18 in Oakland on July the 14th through the 17th. And our
19 Board was well represented on the panel and as speakers by
20 Board Member Jones, Moulton-Patterson, and Board Member
21 Papanian.

22 I'd also like to take the opportunity to commend
23 John Davis, President of CRRA, and the organizers of the
24 conference for the great work they put into the
25 conference. There were many interesting sessions, and it

1 was very well attended.

2 I was especially interested in the sessions that
3 provided understanding in regard to developing markets.
4 Recent articles in the Sona Magazine and what I heard at
5 this conference helped to convince me that we need to
6 continue increasing our focus on recycled market
7 development if we intend to have a viable diversion
8 program here in California.

9 And I'd also like to take this opportunity to
10 voice my support of the annual product trade show that
11 appears on the consent agenda. As any other business
12 endeavor, our efforts to increase the recycled market
13 through sponsorship of the annual product trade show will
14 take time.

15 This year's staff requested that I seek
16 sponsorships for the trade show. And I was able to
17 convince some tribal governments to participate as
18 sponsors and exhibitors.

19 So I'd like to thank the Morongo Tribe and the
20 Cabazon Tribal Governments for being sponsors.

21 Already we are seeing results at the event this
22 week at the California Resource Recovery Association
23 meeting. I came across some vendors that have already
24 been approached by some tribal governments in regard to
25 the purchase of recycled materials.

1 I'd also like to commend Patty Wohl and her staff
2 for the success of the product trade show, and encourage
3 staff to continue to market the show with tribal
4 governments.

5 And now that concludes my report for today.

6 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
7 Medina.

8 Mr. Paparian.

9 BOARD MEMBER PAPARIAN: Thank you, Madam Chair.

10 I also attended the CRRRA conference and was
11 involved in a panel on electronic waste and also gave a
12 report to their local government working group on the
13 electronic waste issue.

14 Also late last month I attended the NEPSI,
15 National Electronic Products Stewardship Initiative,
16 dialogue in Minnesota. And I was joined by Peggy Harris
17 of DTSC, Mark Kennedy of our staff, and Beth Jines from
18 Cal EPA.

19 At this point in the NEPSI process, we're moving
20 forward, I would say, but moving forward slowly. There's
21 going to be a determination next week whether we have
22 enough prospect for agreement at this point to move
23 forward with our meeting in late September. If there's
24 not enough prospect at this point next week, then we'll
25 postpone that meeting in September and kind of roll up our

1 sleeves over the next couple months through conference
2 calls and other meetings. But I wish I could report that
3 it was moving more quickly than it is, but I still have
4 optimism that in the end we'll be able to reach some sort
5 of agreement nationally with the electronics product
6 industry and other stakeholders as well as other states.

7 I have some more to report about our P&E
8 Committee workshop, but I'll save that for the P&E
9 Committee report.

10 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you,
11 Mr. Paparian.

12 Just very briefly, I also gave remarks at the
13 CRRA conference in Oakland and taped a cable TV show in
14 the Bay Area regarding AB 939 along with the Mayor of
15 Union City and the City Manager I believe from Fremont and
16 a representative from Waste Management and a
17 representative of the Alameda County Waste Management
18 Authority. And I also visited Dr. Barry Takallou's
19 facility in Torrance and saw the process for making crumb
20 rubber.

21 And with that, I did want to announce that we
22 will have a closed session tomorrow morning, on Wednesday,
23 July 24th, and we'll be discussing personnel items.

24 And with that, I'll turn the microphone over to
25 Mr. Leary, our Executive Director, for his report.

1 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
2 Chair. Good morning, members. I have a fairly brief
3 report this morning.

4 As the Executive Director, I'm required to report
5 to the Board under the Board regulations about the
6 granting of an emergency waiver by an LEA and all
7 determinations made concerning that waiver. Just to be
8 clear, this type of waiver is the one for declared
9 emergencies only and not to be confused with the
10 stipulated agreements allowed under unforeseeable
11 circumstances.

12 On June 20th, 2002, the LEA for the City of San
13 Diego received a request and granted an emergency waiver
14 to expand the hours of operation and receipt of tonnage at
15 the Sycamore Landfill. Their request and the grant of the
16 waiver was in response to an emergency declared by the
17 fire chief of the City of La Mesa following a two-alarm
18 fire at the Edco Transfer Station in the City of La Mesa.

19 Reportedly the fire burned for approximately
20 twenty hours. In order to extinguish the burning waste,
21 debris was removed with a front-end loader, dumped into
22 the parking lot, extinguished and loaded to transfer
23 trailer trucks.

24 Damage to the Edco structure apparently was
25 minimal. Only the skylights had to be broken to ventilate

1 the smoke caused by the fire and the sort-line belt
2 melted.

3 We are informed that repairs to the facility and
4 skylight are ongoing and actually were made the next day.
5 The facility now is back in full operation. The emergency
6 situation was resolved in less than 24 hours, and the
7 waiver is no longer in effect.

8 Secondly, as the Board I think is pretty well
9 aware, arrangements for this Thursday's awards reception
10 at the League of City's Annual Conference with
11 jurisdictions that the Board has approved in compliance
12 with 939 are nearing completion. Including those
13 jurisdictions on the Board's consent calendar today, there
14 will be 172 honorees all together. The League of City
15 reports that advanced registration for their mayors and
16 council members executive forum where we are holding the
17 event are at a record level. So we should have an
18 excellent turn out.

19 We are joined today by Mr. Bruce Reeves
20 representing the Attorney General's Office, sitting in for
21 Edna Walz, there in the front row.

22 And then, lastly, just as a matter of agenda
23 management, I'd like to report that Agenda Items 13, 36,
24 37 and 54 have been pulled from today's agenda; 54 being
25 the relatively new addition. All of these items will be

1 brought back before the Board in subsequent meetings for
2 future consideration.

3 And one last note. As the Chair reported, we
4 received a proper notice from the City and County of San
5 Francisco on their NDFE. So we will take up Agenda Item
6 16 prior to Agenda Item 6 to allow the NDFE to be
7 considered prior to the permit in Agenda Item 6.

8 CHAIRPERSON MOULTON-PATTERSON: Is that 18 or 16?

9 EXECUTIVE DIRECTOR LEARY: Eighteen. I meant --
10 18 ahead of 6.

11 And that concludes my report, Madam Chair.

12 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you,
13 Mr. Leary.

14 Mr. Leary already noted the items that have been
15 pulled. Items that have been through committee and have
16 been suggested for consent agenda are items 2, 3, 4, 11,
17 14, 17, 19 through 35, 38 through 53 and 56.

18 Mr. Jones, did you wish to pull one?

19 BOARD MEMBER JONES: Madam Chair, at the planning
20 we had asked that Item 35 be held as a separate consent
21 vote.

22 CHAIRPERSON MOULTON-PATTERSON: Okay.

23 BOARD MEMBER JONES: Okay? So I'd like to pull
24 that off the regular consent. It's 35, right, King City?

25 BOARD MEMBER EATON: Right. But -- and all we

1 have to do is, you can just pull it off, and then I'll
2 just abstain and you can put it back on. But I also have
3 a couple of others that I'd like some clarification on
4 that would help assist. And, Madam Chair, this involves
5 our Committee.

6 Mr. Schiavo, were there any other revised
7 resolutions with regard to your items in the Planning
8 Division? Because if you will look, it's on the consent
9 calendar, Item 39, South lake Tahoe; Item 41, Sacramento,
10 each of those were changed, if you will recall in your
11 resolution, for the effective dates by which the extension
12 of time was granted. Those are not reflected in our
13 resolutions.

14 So are there revised resolutions? If you
15 remember, that was the issue of three and half, four
16 years. If you look at all the planning items, those are
17 not reflected. And my understanding is that if we were to
18 vote with them on the consent calendar and that's the
19 resolution, that would be what they would be granted. So
20 I'm not sure how many of those we have. I count two so
21 far where I found that they weren't reflected.

22 CHAIRPERSON MOULTON-PATTERSON: Mr. Schiavo.

23 DEPUTY DIRECTOR SCHIAVO: Yeah, there's four.

24 BOARD MEMBER EATON: But they're not revised
25 resolutions.

1 DEPUTY DIRECTOR SCHIAVO: No, they should be.

2 BOARD MEMBER EATON: So what shall we do? We
3 should not -- do you want to take those items temporarily
4 off the consent calendar? Not so that we hear them, but
5 we can bifurcate the consent calendar so that certain
6 items we can take up that I don't have, and you can go
7 back through and double check, that reflects the
8 Committee's actions. If you remember, there were some --
9 with Sacramento we gave additional time?

10 DEPUTY DIRECTOR SCHIAVO: Right.

11 BOARD MEMBER EATON: That's not reflected.

12 South Lake Tahoe, we reduced the time. I'm not
13 sure with Mono County what we did. Mono County is --

14 BOARD MEMBER JONES: No, it was --

15 BOARD MEMBER EATON: It's 2004?

16 BOARD MEMBER JONES: It was -- Madam Chair, just
17 for clarity. It was El Dorado County, Placerville, and --
18 El Dorado County -- it's in this book.

19 BOARD MEMBER EATON: Not that we wouldn't put it
20 on consent, but that we would just have to revise the
21 resolutions. So if you want to go back through those
22 items, we can take up all the rest of the consent
23 calendar, just take -- you know, it's a housekeeping
24 matter.

25 DEPUTY DIRECTOR SCHIAVO: We'll get those done

1 today.

2 BOARD MEMBER JONES: They're items Number 39,
3 which is -- South Lake Tahoe was changed from 2005 to
4 2004. El Dorado County was changed from 2005 to 2004.
5 Sacramento, which is Item 41, was increased from six
6 months to one year. And Item 43, which is Portola Valley,
7 was raised from six months to one year.

8 And all of those items had a -- Mr. Eaton's
9 right, there's no revised resolution in the packet. But
10 the motions that were made at the Committee meeting
11 reflected a revised motion that was agreed to by the
12 jurisdictions. So maybe it makes more sense to hold those
13 four separately.

14 CHAIRPERSON MOULTON-PATTERSON: Okay. I missed a
15 couple of numbers. It's 39, 43 and --

16 BOARD MEMBER JONES: I'm sorry. It's 39, 40, 41,
17 and 43.

18 CHAIRPERSON MOULTON-PATTERSON: Okay. So we will
19 go through those. Those are not on the consent items. So
20 we had 35 pulled so far, 39, 40, 41, and 43. And then Mr,
21 Jones, didn't you have an additional one that you wanted
22 to pull?

23 BOARD MEMBER JONES: Yes, Madam Chair.

24 Item Number 56, that was part of our consent
25 agenda out of Planning, is the conformance finding issue.

1 And I would ask that that be pulled and be heard. I've
2 offered a substitute motion -- or a substitute resolution
3 that I've sent to each Board office this morning. So you
4 had some time to review it.

5 CHAIRPERSON MOULTON-PATTERSON: Okay.

6 BOARD MEMBER EATON: Madam Chair, maybe I didn't
7 make myself clear. I wasn't interested in hearing those.
8 But once the revisions have been made, whether after our
9 break we come back and take up those items as a secondary
10 consent calendar. I didn't want to have a whole blown
11 hearing. We just needed to change the dates, unless other
12 Board members had questions. I did not, other than --

13 CHAIRPERSON MOULTON-PATTERSON: So we will take
14 up 39, 40, 41, and 43 after the break; but items 35 and 56
15 have been pulled; is that correct?

16 BOARD MEMBER EATON: Yeah. And it looks like 43
17 had a revised resolution.

18 CHAIRPERSON MOULTON-PATTERSON: Oh. Okay.

19 BOARD MEMBER EATON: But that's the only one that
20 I see that had a revised resolution.

21 CHAIRPERSON MOULTON-PATTERSON: Okay. That's
22 right.

23 Any other items that you wish to pull?

24 Okay. Before we vote on the consent calendar, I
25 want the minutes to reflect that Senator Roberti is here.

1 And at this time, Senator Roberti, I'd like to
2 call on you for your report and if you have any ex partes.

3 BOARD MEMBER ROBERTI: Thank you, Madam Chair. I
4 have no ex partes.

5 First, on my report. This past month I visited
6 Los Angeles County Sanitation District. I attended an
7 hour event in conjunction with Los Angeles County, KCAL, a
8 Los Angeles television station, and the Department of
9 Conservation on Heal The Bay at Bay Day events at Santa
10 Monica Bay. It was an excellent event, one of those
11 things that on occasion is really, really very nice work,
12 if you can get it.

13 In wanting to be a good sport I even agreed to
14 get myself tattood with a henna tattoo, at the urging of
15 Chris Peck and Jill Jones of our staff. I want you to
16 know, it's taken three weeks to wash off and a lot of
17 convincing of my wife that this wasn't forever.

18 But our activity there was really very, very
19 excellent on the cleaning of the bay and cooperating with
20 other agencies.

21 July 18th -- rather July 20th, I worked with the
22 City of Los Angeles on their neighborhood cleanup and
23 trash improvement. And we had a video from the Board down
24 there. And actually that was a real work, and an
25 interesting thing to do.

1 So those were some of my activities,
2 extracurricular, in the past month.

3 It's no closely guarded secret that next meeting
4 will be my last meeting as a member of the Board. My term
5 would normally be up at the end of December. This is
6 anticipating it just by a couple of months. So next month
7 I might say a little bit more. But I would just like to
8 say, Madam Chair, that I have thoroughly enjoyed working
9 on this Board. It has been a learning experience for me
10 second to none.

11 I truly wish I was even more involved in trash
12 when I held public office, because you never lack for
13 conversation. It beats politics or religion. Everybody
14 has an opinion. And it's been terribly interesting.

15 But I would like to say we have an excellent
16 staff, a staff that works diligently, is enthusiastic
17 about their work. It puts the lie to what is often said
18 about State workers and, that is, that they're
19 disinterested and they're here and they're gone.

20 That's not the case with the people who work on
21 this agency. I mean they're dedicated and they have a
22 goal and they want to reach that. But we don't always
23 agree on what those goals are, how to reach them -- we
24 agree on the goals, but how to reach them. But we work
25 together. And it's been a learning experience second to

1 none. I will miss the Board. I hope to stay in contact
2 with everybody over the years.

3 I will be here in August. I'm leaving after
4 Labor Day.

5 And thank you all for this wonderful experience
6 I've had.

7 CHAIRPERSON MOULTON-PATTERSON: Thank you,
8 Senator. And I know we'll all have a lot to say next
9 month. But I just want to speak for the entire Board.
10 We're really, really going to miss you.

11 BOARD MEMBER ROBERTI: Thank you.

12 CHAIRPERSON MOULTON-PATTERSON: And with that, I
13 will attempt to go over the consent calendar.

14 Okay. For consent we have -- and please correct
15 me if I'm wrong -- Items 2, 3, 4, 11, 14, 17, 19 through
16 34, and Items 38, 39, 42 through 53; is that correct, for
17 consent?

18 Oh, I messed up?

19 EXECUTIVE DIRECTOR LEARY: Madam Chair, 39 has
20 been taken off consent.

21 CHAIRPERSON MOULTON-PATTERSON: Oh, 39.

22 Okay. Sorry.

23 Oh, yeah. It's right here in my notes.

24 Okay. So 38, and then we skip to 42 through 53.

25 Okay. Did we get that?

1 BOARD MEMBER JONES: Yes, Madam Chair.

2 BOARD MEMBER PAPARIAN: Madam Chair, is 43 on or
3 off consent right now?

4 CHAIRPERSON MOULTON-PATTERSON: I think it's on.
5 Didn't you say that was revised?

6 BOARD MEMBER EATON: It's on. It's the only one
7 that has a revised resolution in my --

8 CHAIRPERSON MOULTON-PATTERSON: So 43 is on.

9 BOARD MEMBER PAPARIAN: Got it.

10 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

11 May I have a motion to approve the consent
12 calendar?

13 BOARD MEMBER MEDINA: So moved.

14 BOARD MEMBER JONES: I'll second.

15 CHAIRPERSON MOULTON-PATTERSON: We have a motion
16 by Mr. Medina, seconded by Mr. Jones, to approve the
17 consent calendar as read.

18 Please call the roll.

19 SECRETARY VILLA: Eaton?

20 BOARD MEMBER EATON: Aye.

21 SECRETARY VILLA? Jones?

22 BOARD MEMBER JONES: Aye.

23 SECRETARY VILLA: Medina?

24 BOARD MEMBER MEDINA: Aye.

25 SECRETARY VILLA: Paparian?

1 BOARD MEMBER PAPARIAN: Aye.

2 SECRETARY VILLA: Roberti?

3 BOARD MEMBER ROBERTI: Aye.

4 SECRETARY VILLA: Moulton-Patterson?

5 CHAIRPERSON MOULTON-PATTERSON: Aye.

6 BOARD MEMBER JONES: Madam Chair?

7 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

8 BOARD MEMBER JONES: I'd like to move adoption of
9 Item Number 35, which has been pulled off of consent. It
10 went forward on consent. One of the members has asked
11 that it be on consent. But he wants to cast a vote.

12 CHAIRPERSON MOULTON-PATTERSON: Oh, Okay. So
13 you're moving 35?

14 BOARD MEMBER JONES: Moving 35.

15 CHAIRPERSON MOULTON-PATTERSON: And that's
16 Resolution 2002-395.

17 I'll second that.

18 BOARD MEMBER PAPARIAN: Madam Chair?

19 CHAIRPERSON MOULTON-PATTERSON. Mr. Paparian.

20 BOARD MEMBER PAPARIAN: Was there some issue
21 involved in this item or --

22 BOARD MEMBER JONES: No. This was a --

23 BOARD MEMBER EATON: This was the base year
24 change in Kings County, which had a number of questions
25 that I had. And there were a number of base years that

1 took place. I abstained on that base year. And now
2 they're using that base year as one of their supports for
3 coming forward and seeking what they're seeking here. And
4 I'm just abstaining as I did there.

5 It's nothing -- you know, the issue really is one
6 of consistency with my position. That's basically the
7 problems I had with the base year. And now they're -- I
8 don't know, whatever they're up -- 60, 70 percent
9 diversion or something like that. So I disagreed with
10 their base year premise. Others did not. So I'm just
11 being consistent. And I moved it in Committee in order to
12 get it here, not -- to be able to, you know, have the full
13 Board. So I voted to bring it to the Board. It's more
14 procedural than anything.

15 BOARD MEMBER PAPARIAN: Okay. Thank you.

16 CHAIRPERSON MOULTON-PATTERSON: Thank you.

17 So please call the roll.

18 SECRETARY VILLA: Eaton?

19 BOARD MEMBER EATON: Abstain.

20 SECRETARY VILLA: Jones?

21 BOARD MEMBER JONES: Aye.

22 SECRETARY VILLA: Medina?

23 BOARD MEMBER MEDINA: Aye.

24 SECRETARY VILLA: Paparian?

25 BOARD MEMBER PAPARIAN: Aye.

1 SECRETARY VILLA: Roberti?

2 BOARD MEMBER ROBERTI: Aye.

3 SECRETARY VILLA: Moulton-Patterson?

4 CHAIRPERSON MOULTON-PATTERSON: Aye.

5 Okay. That brings us to a continued business
6 agenda item, Number 1, which received Committee consensus.

7 And I believe you'll be reporting on this. Ms. Wohl.

8 DEPUTY DIRECTOR WOHL: Yes. This is Market's
9 only item. So I didn't know if Steve Jones was interested
10 in doing this.

11 CHAIRPERSON MOULTON-PATTERSON: Oh, this is the
12 only one. I'm sorry.

13 I'll give you a chance to give this report, Mr.
14 Jones.

15 BOARD MEMBER JONES: This will be a quick report.

16 As promised at the Board meeting in Oxnard we met
17 with the folks that brought up issues about this
18 originally. And that same party was able to testify at
19 our Committee meeting. And it went out of Committee for
20 the whole Board, but I think -- yeah, it went out to the
21 whole Board. But I think there was --

22 DEPUTY DIRECTOR WOHL: Right. I think the
23 Committee just wanted the whole Board to feel comfortable
24 with this decision.

25 BOARD MEMBER JONES: Right. Thank you.

1 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

2 Did you want to say anything? We do have
3 speakers on this.

4 Ms. Wohl, do you have a report?

5 DEPUTY DIRECTOR WOHL: Yeah, I'd like to just
6 make a brief intro on kind of a general loan issue. And,
7 that is, that the State Controller's Office has announced
8 that the new Surplus Money Investment Fund interest rate
9 is 2.9 percent. This will be the interest rate charged on
10 RMDZ loans approved by the Board starting today through
11 December 31st, 2002.

12 So, just so you have that information.

13 And then I'll just lead into the item. It's
14 Agenda Item 1, consideration of the Recycling Market
15 Development Revolving Loan Program application for
16 Kroeker, Inc.

17 And Jim La Tanner will present.

18 CHAIRPERSON MOULTON-PATTERSON: Thank you.

19 Mr. La Tanner, good morning.

20 MR. LA TANNER: Good Morning Board Members.

21 Jim La Tanner, Manager of the Recycling Market
22 Development Revolving Loan Program, here to present Agenda
23 Item 1, which was continued from June.

24 The short presentation is: The item was
25 originally presented in June. There was a guest speaker

1 that had three concerns about Kroeker, Inc.

2 Staff from the loan program, the permitting
3 enforcement, and the local enforcement agency conducted an
4 unannounced site inspection on July 3rd.

5 There were three concerns: One was that Kroeker
6 did not have a Department of Safety and Health, DOSH,
7 registration for asbestos related work. The documentation
8 Kroeker provided was that the asbestos and contaminants
9 are removed by a subcontractor before Kroeker comes in and
10 does work. On several of the projects Kroeker presented
11 the proper documentation to confirm that.

12 The second comment was that the San Joaquin
13 Valley Air Quality Management District does actually issue
14 a clearance certification confirming that the asbestos has
15 been removed. And then there's a ten-day waiting period.
16 Then subsequently Kroeker goes in and demolishes it. We
17 did inspect the site. We looked at several piles of
18 debris on the site. We did not find any asbestos,
19 mercury, lead, or et cetera.

20 The third comment was that in 1995 Kroeker
21 applied with the County of Fresno for a conditional use
22 permit. They currently have a total of 27 acres, all
23 zoned M3, heavy industrial. Of that, the conditional use
24 permit allows 8.9 acres of that for the processing.

25 Staff's review of it and staff's math indicates

1 that the processing line itself is not on that 8.9; it's
2 approximately 10 feet off of it. It's been that way since
3 '95; and Fresno County has not done follow-up inspection
4 or made any comment on that.

5 Along with that the company does have the rock
6 crushing machine -- the concrete crushing that we were
7 going to finance with the RMDZ loan. That is on a
8 portable trailer and can be transported; and, as such, in
9 a temporary position, does not need a permit.

10 With that, staff would recommend -- there's two
11 guest speakers -- approval of Resolution 2002-349, to
12 Kroeker, Inc., the amount of \$950,000 at the current SMIF
13 rate at 2.9 percent.

14 That concludes my presentation.

15 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr. La
16 Tanner.

17 Any Board comments or questions before I call on
18 the speakers?

19 Mr. Medina.

20 BOARD MEMBER MEDINA: Yes. You are satisfied
21 that Kroeker is not grinding asbestos or lead-based paint?

22 MR. LA TANNER: Yes, we are.

23 BOARD MEMBER MEDINA: And so you found no
24 evidence of that on the premises?

25 MR. LA TANNER: Correct. Myself, our P&E

1 Division and the LEA looked at the debris on site and did
2 not find any.

3 BOARD MEMBER MEDINA: Okay.

4 CHAIRPERSON MOULTON-PATTERSON: Okay. Any
5 others?

6 Thank you, Mr. La Tanner.

7 We have two speakers. It's either Don or Dan
8 Bowen, followed by Rodney Ainsworth.

9 MR. BOWEN: Yes. My name is Don Bowen.

10 You have a package up there. And I find it
11 strange that Mr. La Tanner went down there to check on the
12 machines, and he says that they don't need a permit. But
13 the Peterson crusher -- or the Peterson grinder has not
14 had a permit since November -- or October of last year.
15 And that's this page that says that they filed an
16 application in May or June to start the process. But he
17 does not have a permit for that. And if you'll notice at
18 the bottom, it says, "This is not a permit to operate.
19 Approval or denial of a permit made the inspection" --
20 everything. Anyway, this is just the application.

21 I believe he has got a permit for his grinder
22 within the last few days. But before that he was
23 operating the grinder without an Air Resources permit or
24 Air Pollution Control permit.

25 And as for the 8.29 acres and stuff, that was an

1 original conditional use permit. But if you'll follow me
2 on the page that is highlighted Kroeker, Inc., where he
3 says he's made agreements with the Fresno Metropolitan
4 Flood Control Districts to pay their fees as he enlarges;
5 and then behind that is a recorded document from Fresno
6 Metropolitan Flood Control District. On the second page
7 of that is -- it says for Phase 1, which includes his shop
8 and everything, which was -- which he has paid the
9 \$15,000. But the future phases, which include the rest of
10 the 8.29 acres, he has not paid.

11 And also I'd like to just point out that if he
12 has 27 acres, that he owes the Flood Control District
13 approximately \$200,000.

14 And I still contend that there's lead and
15 asbestos being hauled in there -- processed in there, and
16 an investigation would show it, you know.

17 You have to ask questions of people before you
18 can get the answers. Like I say, the Air Pollution
19 Control District, from what -- this I am only speaking
20 to -- I can't verify this, but that Kroeker has a notice
21 of violation or something on one of his machines, I
22 believe it's a Peterson. Air Pollution will not give me
23 that information.

24 The other thing is the grading permits for the
25 areas he's working in. If he has graded that -- which I

1 know he hasn't. I have pictures, if anybody wishes to see
2 them. He has built up that land with the fines material
3 from his crushing operation. He's built it up almost
4 three foot in some areas. That would require a grading
5 permit from the County of Fresno, which he didn't get.

6 There's just a lot of problems with this. And
7 it's -- like I say, I still -- you know, it may take me
8 another six months to prove that he's hauling lead and
9 asbestos in there, but I'm going to do it, at least lead.
10 Lead is very easy to prove, as a test kit will show. All
11 you've got to do is walk up there. And he's knocking down
12 whole buildings with all the paint on them, crushing them
13 up, hauling them to his yard. And that -- under the law,
14 that -- if you still have the first package I gave you,
15 that is presumed lead-based paint unless it is tested.

16 Like I say, I'm not a public agency and I don't
17 have any clout and everything. But I tell you what, I
18 will guarantee you that I will prove what I have said and
19 I'll come before this Board again.

20 Thank you.

21 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
22 Bowen. And I did pass around to the Board members the
23 lead-detector kit.

24 Rodney Ainsworth from Kroeker, Inc.

25 MR. AINSWORTH: I want to thank the Board again

1 for taking their time on this thing.

2 As it relates to the NOV we received from the San
3 Joaquin Valley Air Board, that was for reporting. We
4 failed to report one month on one quarter. So we've since
5 made that up. There's no problem with that.

6 There is a pending statewide portable permit for
7 that same machinery. The machinery that he quoted
8 earlier, we applied for in April. I talked to Mr. Brenton
9 Smith of the Air Resources Board when I applied for the
10 permit back in April. He says the -- just the fact that
11 we applied for the permit and everything was in order was
12 a good faith effort on our part to receive those orders,
13 and that it was okay to operate that machinery. And if
14 they did find something wrong with it, then we were to
15 cease and desist and not make any stink about it.

16 So as to the Flood Control District, the land is
17 M3 -- still is M3. The fees have been paid on the
18 improved property, which is what he's talking about. It's
19 the shop and everything. The other areas are still either
20 vacant or they've got some machinery on it, but they
21 haven't had physical improvements on it.

22 So any questions?

23 CHAIRPERSON MOULTON-PATTERSON: Any questions for
24 Mr. Ainsworth?

25 I don't see any.

1 Thank you.

2 BOARD MEMBER PAPARIAN: Madam Chair?

3 CHAIRPERSON MOULTON-PATTERSON: Oh, Mr. Paparian
4 has one.

5 BOARD MEMBER PAPARIAN: Yeah, can I just clarify.

6 The assertion of the previous witness related to
7 materials containing lead-based paint and asbestos. And
8 so in terms -- do you want to respond to that? You're
9 not -- well, why don't you just elaborate on those two
10 issues?

11 MR. AINSWORTH: I think he's referring back to
12 1997 and 1998 when we were doing some work in Lemoore
13 Naval Air Station. All that material was -- we were
14 involved in the hauling and the processing of that after
15 the fact. The abatement contractor did not remove the
16 lead-based paint, but he actually encapsulated it.

17 The Committee reviewed the documents on all of
18 those issues, part of which was the abatement company had
19 to come in and physically hand scrub all the lead-based
20 material off of every piece of debris that we had handled.
21 And it was like a few truckloads -- I don't remember how
22 many truckloads exactly, but they had to come in and hand
23 scrub it to their -- to the requirements at their cost.

24 We perform random tests on the water we use in
25 our float tank. The material that comes in, we'll do a

1 random sample of it before it's processed. We'll also
2 send in the wood chips for testing for lead, heavy metals,
3 boron. You name it, it's tested, because we want to know
4 what goes out of our plant. So we have done that. And
5 those are open to review by any agency that would like to
6 come in and check.

7 BOARD MEMBER PAPARIAN: In terms of recent months
8 you haven't had any lead-based or asbestos-containing
9 items come through?

10 MR. AINSWORTH: No, sir.

11 BOARD MEMBER PAPARIAN: Okay. Thank you.

12 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

13 Do we have a motion?

14 Mr. Jones.

15 BOARD MEMBER JONES: Madam Chair, I'll move
16 adoption of Resolution 2002-349, consideration of the
17 Recycling Market Development Revolving Loan Program
18 application for Kroeker, Inc.

19 CHAIRPERSON MOULTON-PATTERSON: I'll second that.

20 We have a motion by Mr. Jones, second by
21 Moulton-Patterson, to approve Resolution 2002-349.

22 Please call the roll.

23 SECRETARY VILLA: Eaton?

24 BOARD MEMBER EATON: Aye.

25 SECRETARY VILLA: Jones?

1 BOARD MEMBER JONES: Aye.

2 SECRETARY VILLA: Medina?

3 BOARD MEMBER MEDINA: Aye.

4 SECRETARY VILLA: Paparian?

5 BOARD MEMBER PAPARIAN: Aye.

6 SECRETARY VILLA: Roberti?

7 BOARD MEMBER ROBERTI: Aye.

8 SECRETARY VILLA: Moulton-Patterson?

9 CHAIRPERSON MOULTON-PATTERSON: Aye.

10 Okay. That brings us to our new business. And
11 as Chair of the Budget, Executive Administrative and
12 Policy Committee, Mr. Medina, would you like to give a
13 report at this time?

14 BOARD MEMBER MEDINA: Yes, Madam Chair.

15 At the Budget and Administration Committee, we
16 heard Mr. Wes Mindermann, Mr. Darrin Okimoto present three
17 items that passed fiscal consensus. Mr. Mindermann
18 presented Agenda Item 8, consideration of approval of new
19 sites for the Solid Waste Disposal and Codisposal Site
20 Cleanup Program. He also presented Item 9, to augment the
21 contract for landfill and disposal site remediation.

22 These two items are funds that, if approved, will
23 come from the AB 2136 funds.

24 Mr. Okimoto presented Item 12, grant awards for
25 the Used Oil Recycling Block Grant Program.

1 Since I don't want to steal their thunder, I will
2 leave the details of the items up for their presentation.
3 And I do want to commend Mr. Mindermann and Mr. Okimoto
4 for their good work.

5 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
6 Medina.

7 Moving on to permits, LEA and facility
8 compliance.

9 Mr. Paparian, as Chair of that Committee, would
10 you like to report?

11 BOARD MEMBER PAPARIAN: Yes. Thank you, Madam
12 Chair.

13 At the July briefing, we had our first P&E
14 Committee workshop. The workshop focused on issues facing
15 the LEAs, including communication with the Board as well
16 as enforcement challenges that LEAs face in the field.

17 I think the workshop went very well. We had a
18 lot of enthusiastic participation from city and county
19 LEAs. I notice at least one or two here in the audience
20 who were among the participants at that meeting.

21 I think we learned a lot, and I think my fellow
22 committee members appreciated the presentations as well.
23 I'd like to thank Sharon Anderson and Melissa
24 Hoover-Hartwick for all their hard work in putting the
25 panel together, coordinating the speakers and the topics.

1 And I also want to thank the LEAs. We had about
2 eight or ten LEAs who took a good chunk of their time to
3 come to Sacramento and make some very informative
4 presentations to us.

5 We'll have a summary of the workshop available on
6 the web for LEAs and the public some time in the next few
7 weeks.

8 Additionally, Sharon and her staff plan on
9 addressing some of the issues from the workshop, including
10 revisiting the charter for Partnership 2000 at the August
11 LEA conference in Lake Tahoe, which I know we're all
12 looking forward to.

13 The Committee's agenda will likely be full for
14 August, with some regulatory packages coming forward. So
15 we won't have a workshop in August. However, our calendar
16 appears to be a little bit lighter in September. And, at
17 this point, the September workshop will focus on capacity
18 and one of Mr. Jones's favorite issues, tonnage limits in
19 permits.

20 I'll provide the Board with an update on our
21 September workshop plans as the date gets closer. And I'm
22 hoping that at that September workshop we'll get
23 participation from industry as well as LEAs and other
24 stakeholders.

25 At our Permitting and Enforcement Committee

1 meeting, we heard a number of permit items and some items
2 that had some fiscal implications. This morning we've
3 already approved three items on consent.

4 We have some other items which we moved forward,
5 with the Committee's approval, but feeling that the full
6 Board may want to hear these items for various reasons.
7 There were still some outstanding issues on a couple of
8 them.

9 These include Agenda Items 5, which relates to a
10 Full Solid Waste Facilities permit for Central Valley
11 Waste Services in San Joaquin county; Agenda Item 6, the
12 new permit for the Central Pier 96 facility, which I
13 believe we'll be hearing Item 18 before we hear Item 6 in
14 order to do it in a correct order with the NDFE; and Item
15 7 related to the Alturas Landfill in Modoc County. The
16 CEQA comment period was just closing as we were hearing
17 the item at the Committee, so we wanted to make sure it
18 was closed before we had the full consideration of it.

19 And then, finally, there are three fiscal related
20 items, all of which the Committee moved forward as fiscal
21 consensus items, and those are Items 8, 9 and 10.

22 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
23 Paparian.

24 We've approved on consent 2, 3 and 4.

25 And we'll go to 5. And, Mr. Walker, welcome.

1 ACTING DEPUTY DIRECTOR WALKER: Thank you.

2 Item 5 is consideration of a revised full solid
3 waste facilities permit (transfer/processing station) for
4 Central Valley Waste Services, Incorporated, San Joaquin
5 County.

6 And, again, just to add to Board Member
7 Paparian's presentation, the Committee had asked staff to
8 look in to some issues that were brought up by a neighbor.
9 And we'll report back during this presentation.

10 And Keith Kennedy will provide the staff
11 presentation on this item.

12 MR. KENNEDY: Good morning, Madam Chair and Board
13 Members.

14 The San Joaquin County LEA performed a five-year
15 permit review of Central Valley Waste Services in May of
16 this year. Per their review three changes to the permit
17 are proposed for revision.

18 A change in the owner and the operator of the
19 facility from California Waste Removal Systems
20 Incorporated to U.S.A. Waste of California Incorporated,
21 and a change in public receipt of waste from six to seven
22 days per week.

23 When the facility was first permitted in 1992 the
24 permit allowed for public receipt of waste seven days per
25 week. During a 1997 permit revision to remove an

1 associated composting operation from the permit, the dates
2 of public receipt of waste were restricted to six days per
3 week on the new permit.

4 The permit revision will reestablish the days the
5 facility is open to the public as outlined in the original
6 permit.

7 The 1991 final Environmental Impact Report for
8 the facility addresses public receipt of waste seven days
9 per week.

10 Staff would also like to inform the Board that
11 during the Committee meeting on July 8th, an adjacent
12 neighbor of the facility raised several concerns regarding
13 the impact of the facility on his property. Since that
14 time the LEA, with the consent of the operator, added
15 Condition M to the permit. And I hope you have the new
16 permit in front of you. Condition M is on Page 4.

17 Essentially, this condition requires the operator
18 to hire an independent contractor to perform two separate
19 studies over a two-month period. The studies will monitor
20 for dust, noise, and vibration to verify compliance with
21 State minimum standards. The operator will provide the
22 LEA with the results of the study within 30 days of
23 completion. No other changes to the facility are
24 proposed.

25 Board staff have determined that all the

1 requirements for the proposed permit have been fulfilled.

2 In conclusion, staff recommends the Board adopt
3 board Resolution Number 2002-365, concurrent with the
4 issuance of Solid Waste Facility Permit Number 39-AA-0017.

5 This concludes staff's presentation.

6 Robert McClellan of the LEA for San Joaquin
7 County and representatives from Central Valley Waste
8 Services are available for questions. And I'd also be
9 happy to answer any questions.

10 CHAIRPERSON MOULTON-PATTERSON: Thank you.

11 Questions?

12 BOARD MEMBER JONES: Madam Chair?

13 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

14 BOARD MEMBER JONES: If there are no questions,
15 I'll move adoption of the Resolution 2002-365,
16 consideration of a revised full solid waste facilities
17 permit (transfer/processing station) for the Central
18 Valley Waste Services, Inc., in San Joaquin County.

19 BOARD MEMBER MEDINA: Second.

20 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
21 motion by Mr. Jones, seconded by Mr. Medina, to approve
22 Resolution 2002-365.

23 Please call the roll.

24 SECRETARY VILLA: Eaton?

25 BOARD MEMBER EATON: Aye.

1 SECRETARY VILLA: Jones?

2 BOARD MEMBER JONES: Aye.

3 SECRETARY VILLA: Medina?

4 BOARD MEMBER MEDINA: Aye.

5 SECRETARY VILLA: Paparian?

6 BOARD MEMBER PAPARIAN: Aye.

7 SECRETARY VILLA: Roberti?

8 BOARD MEMBER ROBERTI: Aye.

9 SECRETARY VILLA: Moulton-Patterson?

10 CHAIRPERSON MOULTON-PATTERSON: Aye.

11 BOARD MEMBER JONES: Madam Chair.

12 CHAIRPERSON MOULTON-PATTERSON: Yes, Mr. Jones.

13 BOARD MEMBER JONES: Just real briefly so that

14 the public doesn't think that we're overlooking the idea

15 that a citizen came forward and complained about this

16 item. I think a lot of our offices got briefed. Those

17 that didn't: Dave Vaccarezza, who used to own this

18 facility, built an 11-acre estate on the property right

19 next to the MERF. And when he sold the company, he kept

20 the house.

21 And he is the one that's making the complaint.

22 So you just need to understand that we didn't just dismiss

23 this. There was actually some -- it was interesting when

24 Dave came forward to complain, because I watched him build

25 that place with his father and with Ron Sanchez and his

1 sister, so it kind of amazed me that he was complaining
2 about it because the only reason he was allowed to live on
3 that property was as a caretaker, because of the zoning.

4 So I just wanted for the sake of the public so
5 that they didn't think we were dismissing a public outcry,
6 that in fact there was a little more to this story than
7 was presented.

8 Thanks, Madam Chair.

9 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
10 Jones.

11 BOARD MEMBER PAPARIAN: Just to add to that. I
12 mean I think that, you know, any facility would need to
13 comply with our standards and with the requirements of the
14 LEA. And, you know, when there is a residence adjacent,
15 that does raise an additional concern. And I think that
16 the -- you know, our staff and the LEA worked carefully to
17 look into that, and I think that the permit reflects that
18 action.

19 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
20 Paparian.

21 Now, we must take up Number 18.

22 DEPUTY DIRECTOR SCHIAVO: Good morning. Pat
23 Schiavo of the Diversion Planning and Local Assistance
24 Division.

25 CHAIRPERSON MOULTON-PATTERSON: Good morning.

1 DEPUTY DIRECTOR SCHIAVO: And Item Number 18 is
2 consideration of the adequacy of the amended Nondisposal
3 Facility Element for the City and County of San Francisco.

4 And Kathy Davis will be making this presentation.

5 MS. DAVIS: Good morning, Madam Chair and Board
6 Members.

7 Board Item 18 presents the City and County of San
8 Francisco's amended Nondisposal Facility Element, or NDFE.
9 San Francisco has amended its NDFE to modify the
10 description of the San Francisco Solid Waste Transfer and
11 Recycling Center, an existing facility, and to add the
12 Recycle Central, a proposed new facility.

13 The Permits and Enforcement Division will be
14 presenting a corresponding agenda item for the proposed
15 permit for the Recycle Central Facility at today's Board
16 meeting.

17 Staff has received the necessary documentation
18 confirming that San Francisco's Board of Supervisors has
19 adopted the amended NDFE and proof of a three-day public
20 notice given for the public hearing.

21 Board staff, therefore, recommends approval of
22 San Francisco's amended NDFE.

23 Kevin Drew, a representative of the city and
24 county is here to answer any questions you may have.

25 This concludes my presentation.

1 CHAIRPERSON MOULTON-PATTERSON: Thank you.

2 Mr. Medina.

3 BOARD MEMBER MEDINA: Yes, Madam Chair. We'll
4 move to Item Number 6. I'd like to move that resolution.

5 BOARD MEMBER JONES: Eighteen.

6 CHAIRPERSON MOULTON-PATTERSON: Eighteen. We're
7 going to do 18 first.

8 BOARD MEMBER MEDINA: Okay.

9 CHAIRPERSON MOULTON-PATTERSON: And that did
10 receive Committee consensus.

11 Did you want to make this one?

12 BOARD MEMBER MEDINA: Yes, I would like to move
13 this.

14 CHAIRPERSON MOULTON-PATTERSON: Okay. Any
15 second?

16 BOARD MEMBER JONES: I second.

17 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
18 motion by Mr. Medina to approve Resolution 2002-377,
19 seconded by Mr. Jones.

20 Please call the roll.

21 SECRETARY VILLA: Eaton?

22 BOARD MEMBER EATON: Aye.

23 SECRETARY VILLA: Jones?

24 BOARD MEMBER JONES: Aye.

25 SECRETARY VILLA: Medina?

1 BOARD MEMBER MEDINA: Aye.

2 SECRETARY VILLA: Paparian?

3 BOARD MEMBER PAPARIAN: Aye.

4 SECRETARY VILLA: Roberti?

5 BOARD MEMBER ROBERTI: Aye.

6 SECRETARY VILLA: Moulton-Patterson?

7 CHAIRPERSON MOULTON-PATTERSON: Aye.

8 And now we'll go back to Item Number 6.

9 ACTING DEPUTY DIRECTOR WALKER: Scott Walker,
10 Permitting and Enforcement Division.

11 And, again, Item 6 was passed 4-0 by the
12 Committee, pending approval of the NDFE in Item 18.

13 And Item 6 is consideration of a new full Solid
14 Waste Facilities Permit (transfer/processing station) for
15 the Recycle Central Pier 96 Facility, City and County of
16 San Francisco.

17 And Mary Madison-Johnson is prepared to give a
18 brief presentation, unless the Board would like to pass
19 that resolution.

20 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

21 And this was one that received Committee
22 consensus. So I'll call on Mr. Medina.

23 BOARD MEMBER MEDINA: Thank you, Madam Chair.

24 I'd like to move Resolution 2002-369 for a new
25 full Solid Waste Facilities Permit (transfer/processing

1 station) for the Recycle Central Pier 96 facility, for the
2 City and County of San Francisco. And, whereas, the Board
3 finds that the proposed permit is consistent with the San
4 Francisco County Integrated Waste Management Plan and,
5 therefore, in conformance with Public Resources Code
6 Section 5001(a).

7 BOARD MEMBER JONES: I'll second it.

8 CHAIRPERSON MOULTON-PATTERSON: Okay. Before we
9 vote, I neglected to see -- are you okay?

10 MS. DAVIS: Yeah, I'm okay with it.

11 CHAIRPERSON MOULTON-PATTERSON: Well, we also had
12 Don Gambelin.

13 So, thank you, both of you.

14 Substitute the previous roll call without
15 objection.

16 And that we approved Item 6.

17 Item 7 also received Committee consensus.

18 Item 7. Mr. Walker.

19 ACTING DEPUTY DIRECTOR WALKER: Yes. Item 7 is
20 Consideration of a Revised Full Solid Waste Facilities
21 Permit (disposal facility) and Adoption of a Negative
22 Declaration for the Alturas Landfill, Modoc County.

23 And this item was passed 4-0 pending CEQA comment
24 period, which was still going during the Committee
25 meeting.

1 And John Whitehill will provide a brief staff
2 presentation on this item.

3 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.
4 Good morning.

5 MR. WHITEHILL: Good morning, Madam Chair, Board
6 Members.

7 This next item contains two separate resolutions
8 and therefore will require two separate votes at the end
9 of my presentation.

10 The first resolution will be for the Negative
11 Declaration for the Alturas Landfill and the second one
12 will be for the proposed permit for the Alturas Landfill.

13 The proposed changes to the permit update the
14 1978 permit to clarify or in some cases for the first time
15 establish site design parameters, such as the tonnage, the
16 height, area, and hours at the landfill.

17 One change is the construction of a transfer
18 station at the landfill in 1995, which allows the county's
19 waste stream to be hauled to another landfill in Nevada.

20 But because this is the last active landfill in
21 Modoc County, this landfill will be kept open so that they
22 can receive C&D wastes. It'll be kept open in case of
23 emergencies, and also as a backup disposal site in case of
24 a contract dispute.

25 Also, I wanted to point out that in the agenda

1 item, the maximum height referenced in the summary page
2 has been changed to match the maximum height referenced in
3 the body of the report.

4 At the time this item was prepared there were two
5 outstanding issues. The first was a State minimum
6 standard violation for grading and drainage. And the LEA
7 has reported prior to the Committee meeting that the
8 operator is installing a new drainage ditch and,
9 therefore, it's no longer in violation of the standard.

10 The second issue was CEQA. As Mr. Paparian
11 mentioned earlier, Board staff did not make a
12 recommendation at the Committee meeting because the CEQA
13 public comment period was still open.

14 However, the comment period has since ended and
15 there were no other comments received. Therefore, staff
16 have now been able to make the required findings for the
17 proposed permit and can make the two recommendations.

18 First, staff recommends that the Board adopt
19 Resolution Number 2002-371, adopting the Negative
20 Declaration for the Alturas Landfill. And then after this
21 vote, I'll make the second recommendation on the permit.

22 Thank you.

23 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

24 Do we have a motion?

25 Mr. Jones.

1 BOARD MEMBER JONES: Madam Chair, I'll move
2 adoption of Resolution 2002-371, consideration of the Neg
3 Dec.

4 BOARD MEMBER MEDINA: Second.

5 CHAIRPERSON MOULTON-PATTERSON: Motion by Mr.
6 Jones, seconded by Mr. Medina, to approve Resolution
7 2002-371.

8 Please call the roll.

9 SECRETARY VILLA: Eaton?

10 BOARD MEMBER EATON: Aye.

11 SECRETARY VILLA: Jones?

12 BOARD MEMBER JONES: Aye.

13 SECRETARY VILLA: Medina?

14 BOARD MEMBER MEDINA: Aye.

15 SECRETARY VILLA: Paparian?

16 BOARD MEMBER PAPARIAN: Aye.

17 Secretary VILLA: Roberti?

18 BOARD MEMBER ROBERTI: Aye.

19 SECRETARY VILLA: Moulton-Patterson?

20 CHAIRPERSON MOULTON-PATTERSON: Aye.

21 Now we go to 370?

22 BOARD MEMBER JONES: Madam Chair?

23 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

24 BOARD MEMBER JONES: I'll move adoption --

25 MR. WHITEHILL: Just for the record, I wanted to

1 make the staff recommendation that the Board adopt
2 Resolution Number 2002-370, concurring with the issuance
3 of Solid Waste Facility Permit Number 25-AA-0001.

4 BOARD MEMBER JONES: Madam Chair?

5 CHAIRPERSON MOULTON-PATTERSON: Yes, Mr. Jones.

6 BOARD MEMBER JONES: I'll move adoption of
7 Resolution 2002-370, consideration of the revised Full
8 Waste Facility Permit.

9 BOARD MEMBER MEDINA: Second.

10 CHAIRPERSON MOULTON-PATTERSON: A motion by Mr.
11 Jones, seconded by Mr. Medina.

12 Please substitute the previous roll call without
13 objection.

14 That brings us to Number 8, another Committee
15 consensus item.

16 ACTING DEPUTY DIRECTOR WALKER: Yes. Item 8 is
17 consideration of approval of new sites for the Solid Waste
18 Disposal and Codisposal Site Cleanup Program. This item
19 passed fiscal consent.

20 Wes Mindermann will provide a brief staff
21 presentation. And we have a short video that our Public
22 Information Office took up at one of the sites, Glass
23 Beach.

24 MR. MINDERMAN: Good morning, Madam Chair,
25 Members of the Board.

1 Item 8 requests approval of five new projects
2 under the Solid Waste Disposal and Codisposal Site Cleanup
3 Program. The details of each project are presented in
4 your agenda item.

5 With your permission, Madam Chair, I do have a
6 six-minute video regarding the Fort Bragg Dump Project
7 that was prepared by our Public Information Office at the
8 request of staff. And I'd like to show it before I make
9 my final recommendation and conclude.

10 CHAIRPERSON MOULTON-PATTERSON: Fine.

11 MR. MINDERMAN: Thank you.

12 (Thereupon a video was played.)

13 CHAIRPERSON MOULTON-PATTERSON: Thank you.

14 MR. MINDERMAN: Thank you.

15 Program staff would like to thank Frank Simpson
16 and the Public Information Office for their help on
17 preparing that video for your information.

18 We'd also like to thank the Legal Office for
19 their continued support of the program and helping work
20 through all the issues on all of these projects.

21 To conclude, program staff are recommending that
22 the Board approve all five projects.

23 That concludes my presentation. I'd be happy to
24 answer any questions.

25 CHAIRPERSON MOULTON-PATTERSON: Questions?

1 Mr. Jones.

2 BOARD MEMBER JONES: Madam Chair, I'd like to
3 move adoption of Resolution 2002-374, consideration of
4 approval of new sites for the Solid Waste Disposal and
5 Codisposal Site Cleanup Program.

6 BOARD MEMBER MEDINA: Second.

7 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
8 motion by Mr. Jones, seconded by Mr. Medina to approve
9 Resolution 2002-374.

10 Please call the roll.

11 SECRETARY VILLA: Eaton?

12 BOARD MEMBER EATON: Aye.

13 SECRETARY VILLA: Jones.

14 BOARD MEMBER JONES: Aye.

15 SECRETARY VILLA: Medina?

16 BOARD MEMBER MEDINA: Aye.

17 SECRETARY VILLA: Paparian?

18 BOARD MEMBER PAPARIAN: Aye.

19 SECRETARY VILLA: Roberti?

20 BOARD MEMBER ROBERTI: Aye.

21 SECRETARY VILLA: Moulton-Patterson?

22 CHAIRPERSON MOULTON-PATTERSON: Aye.

23 BOARD MEMBER JONES: Madam Chair?

24 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

25 BOARD MEMBER JONES: I said it in Committee, I'll

1 say it in the full Board meeting.

2 Congratulations to Wes Mindermann, his bosses and
3 Luna for -- this was a very tough one because it was, you
4 know, how did we make sure that that got into the public
5 hands? And they did a heck of a job making sure that
6 everybody's kind of feet got held to the fire so that we
7 could be in a position to be able to approve that for
8 Glass Beach. And I just wanted to publicly acknowledge
9 that effort.

10 CHAIRPERSON MOULTON-PATTERSON: Thank you.

11 MR. MINDERMAN: Thank you.

12 CHAIRPERSON MOULTON-PATTERSON: Any other
13 questions or comments?

14 Who would like to move this?

15 Oh, I'm sorry.

16 Sorry, Mr. Jones.

17 And we had a second by Mr. Medina and it's been
18 approved, yeah.

19 Okay. Moving right along.

20 Number 10.

21 ACTING DEPUTY DIRECTOR WALKER: Yes. Actually,
22 Item Number 9 and Number 10, these are two similar fiscal
23 consent, considered by both the P&E Committee and the
24 Budget and Admin Committee.

25 Item 9 is consideration of augmentation for the

1 Environmental Services Contract for landfill and disposal
2 site remediation; and that's Contract IWM-C0106.

3 Wes Mindermann again will provide a brief staff
4 presentation.

5 MR. MINDERMANN: Hello again, Madam Chair and
6 Members of the Board.

7 Agenda Items 9 and 10 request that the Board
8 augment the existing Environmental Services Contracts for
9 landfill and disposal site remediation under the Solid
10 Waste Disposal and Codisposal Site Cleanup Program. The
11 proposed augmentations are \$1 million for each contract.
12 And Board staff are recommending that the Board approve
13 the augmentations.

14 Thank you.

15 CHAIRPERSON MOULTON-PATTERSON: Thank you.

16 Mr. Jones.

17 BOARD MEMBER JONES: Madam Chair, I'll move
18 adoption of Resolution 2002-373 for the augmentation to
19 A.J. Diani Construction and I'll move -- can I move them
20 both? Can I include both?

21 CHAIRPERSON MOULTON-PATTERSON: Yes.

22 BOARD MEMBER JONES: And I will also include
23 Resolution 2002-372, which is an augmentation to the Irv
24 Guinn Construction.

25 BOARD MEMBER MEDINA: Second to both of them.

1 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
2 motion by Mr. Jones, seconded by Mr. Medina, to approve
3 Resolution 2002-373 and 2002-372.

4 Please call the roll.

5 SECRETARY VILLA: Eaton?

6 BOARD MEMBER EATON: Aye.

7 SECRETARY VILLA: Jones?

8 BOARD MEMBER JONES: Aye.

9 SECRETARY VILLA: Medina?

10 BOARD MEMBER MEDINA: Aye. And just for the
11 record, they're, both of them, in the amount of \$1
12 million.

13 CHAIRPERSON MOULTON-PATTERSON: Thank you.

14 SECRETARY VILLA: Paparian?

15 BOARD MEMBER PAPARIAN: Aye.

16 SECRETARY VILLA: Roberti?

17 BOARD MEMBER ROBERTI: Aye.

18 SECRETARY VILLA: Moulton-Patterson?

19 CHAIRPERSON MOULTON-PATTERSON: Aye.

20 And with that, we'll call a 10-minute break.

21 Thank you.

22 And thank you, Mr. Simpson, for that fine video.

23 (Thereupon a short recess was taken.)

24 CHAIRPERSON MOULTON-PATTERSON: I'd like to call
25 our meeting back to order, please.

1 Mr. Eaton, do you have any ex partes?

2 BOARD MEMBER EATON: No, Madam Chair?

3 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones?

4 BOARD MEMBER JONES: No, Madam Chair.

5 CHAIRPERSON MOULTON-PATTERSON: Mr. Medina?

6 BOARD MEMBER MEDINA: None to report.

7 CHAIRPERSON MOULTON-PATTERSON: Mr. Paparian?

8 BOARD MEMBER PAPARIAN: None.

9 CHAIRPERSON MOULTON-PATTERSON: Senator Roberti?

10 BOARD MEMBER ROBERTI: None.

11 CHAIRPERSON MOULTON-PATTERSON: And I have none.

12 Okay. I guess the Waste Prevention, everything
13 has been done. So we'll move on to Special Waste.

14 And I'd like to call on our Committee Chair, Mr.
15 Jones, to give a report on any Special Waste items.

16 BOARD MEMBER JONES: Thanks, Madam Chair.

17 We've heard the loan agreement. We had one item
18 on consent. We're going to have a couple of items to the
19 full Board on universal waste and this next item, Item 12
20 on the used oil, which also went to Budget Committee.

21 We did pull the scoring criteria for Waste Tire
22 Cleanup Grant Program to local government. As a result of
23 discussions at the Committee meeting where a couple of the
24 members made the realization that this is an
25 undersubscribed program, and if we could make the grant

1 process easier, we would get more money into local
2 government to help us in our tire enforcement. And that
3 was Mr. Eaton and Linda Moulton-Patterson who -- I think,
4 unless I'm missing somebody. Who else is on that
5 Committee? Mr. Paparian, are you on that?

6 So all of us agreed. But it was a good catch.
7 And rather than come forward with a half-baked item, staff
8 wanted the extra month to really make sure that they had
9 fully thought it out and could bring it forward so that
10 maybe we can get a lot more people actually doing the
11 enforcement, which was part of SB 876, as Mr. Eaton made
12 very clear that day.

13 Other than that, I think we're ready to rock and
14 roll.

15 CHAIRPERSON MOULTON-PATTERSON: Okay. That
16 brings us to Item Number 12. And that did have Committee
17 consensus. And I will turn it over to --

18 MS. WILLD-WAGNER: I'm up here, way up here.

19 This is Shirley Willd-Wagner with the Special
20 Waste Division.

21 And, yes, Item 12 was heard by both Budget and
22 Admin Committee and the Special Waste and Market
23 Development Committee. Both committees voted to support
24 this item. It's the Used Oil Recycling Block Grants, as
25 you know are noncompetitive grants awarded annually to

1 local jurisdictions to implement used oil collection
2 recycling and public education programs.

3 The staff recommendation is to adopt Resolution
4 2001-360, revised, to award \$16,243,832 to local
5 governments for the Used Oil Recycling Block Grants,
6 Fiscal Year 2002-3.

7 We have staff available if you'd like a
8 presentation.

9 BOARD MEMBER JONES: Madam Chair?

10 CHAIRPERSON MOULTON-PATTERSON: Yes, Mr. Jones.

11 BOARD MEMBER JONES: I'll move adoption of
12 Resolution 2002-360, revised, consideration of the grant
13 award for the Used Oil Recycling Block Grant Program for
14 Fiscal Year 2002-2003.

15 BOARD MEMBER MEDINA: Second.

16 CHAIRPERSON MOULTON-PATTERSON: Thank you.

17 We have a motion by Mr. Jones, seconded by Mr.
18 Medina, to approve Resolution 2002-360.

19 Please call the roll?

20 SECRETARY VILLA: Eaton?

21 BOARD MEMBER EATON: Aye.

22 SECRETARY VILLA: Jones?

23 BOARD MEMBER JONES: Aye.

24 SECRETARY VILLA: Medina?

25 BOARD MEMBER MEDINA: Aye.

1 SECRETARY VILLA: Paparian?

2 BOARD MEMBER PAPARIAN: Aye.

3 SECRETARY VILLA: Roberti?

4 BOARD MEMBER ROBERTI: Aye.

5 SECRETARY VILLA: Moulton-Patterson?

6 CHAIRPERSON MOULTON-PATTERSON: Aye.

7 Okay. Item Number 15, which also had Committee
8 consensus.

9 MS. WILLD-WAGNER: That's correct, Item 15 was
10 heard by the Special Waste Committee with committee
11 consensus. But it was also requested by the Committee
12 that it be heard by the full Board.

13 So Gale Grigsby will make this presentation.

14 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

15 MS. GRIGSBY: In Agenda Item 15, staff is
16 presenting one waste tire site for remediation under the
17 Waste Tire Stabilization and Abatement Program.

18 This site would fall under short-term remediation
19 projects. The Public Resources Code authorizes the Board
20 to expend money from the California Tire Recycling
21 Management Fund to perform any cleanup, abatement or
22 remedial work required to prevent substantial pollution,
23 nuisance or injury to public health or safety at waste
24 tire sites where responsible parties have failed to take
25 appropriate action as ordered by the Board.

1 Details of this site are included in the agenda
2 item. Very briefly, the site is known as Chuck's Auto
3 Parts and Salvage Waste Tire Site, located in Ventura
4 County. Staff estimates there are approximately 15,000
5 passenger tire equivalents on site stockpiled in one large
6 pile.

7 An administrative complaint was filed against the
8 property owners, and the property owners were penalized in
9 the sum of \$20,000. Board has recorded a lien on the
10 property in that amount.

11 The Board negotiated a settlement agreement with
12 the property owners where if the tires were remediated by
13 the property owner by September 30, 2001, or the County of
14 Ventura was successful in obtaining a grant from the
15 Board, the property owner would then be required to pay a
16 \$2,000 penalty payment and the Board would remove the
17 \$20,000 lien.

18 In June 2002 the county did request cleanup grant
19 information from Board staff. At the present time there
20 is no cleanup grant cycle in process. However, staff will
21 be bringing an agenda item in the near future which will
22 generate the new cleanup grant program for this fiscal
23 year.

24 It is staff's understanding that the county will
25 immediately be applying for a grant to remediate the site.

1 Board staff will not initiate any remedial activities on
2 this site until after the Board has had an opportunity to
3 act on the county's request for a cleanup grant.

4 If this does go to a Board-sponsored remediation,
5 CEQA will be handled by the Board filing a notice of
6 exemption.

7 Staff recommends adoption of Resolution 2002-362,
8 approving Chuck's Auto Parts and Salvage Waste Tire Site
9 for a Board-Managed Waste Tire Stabilization and Abatement
10 Program Remediation Project.

11 This concludes my presentation. If you have any
12 questions--

13 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

14 Any questions by Board members?

15 Mr. Medina.

16 BOARD MEMBER MEDINA: If there are no questions,
17 Madam Chair, I'd like to move Resolution 2002-362,
18 approval of sites for remediation under the Waste Tire
19 Stabilization and Abatement Program, specifically Chuck's
20 Auto Parts and Salvage Waste Tire Site.

21 CHAIRPERSON MOULTON-PATTERSON: I'll second that.

22 Okay. We have a motion by Mr. Medina, seconded
23 by Moulton-Patterson, to approve Resolution 2002-362.

24 Please call the roll.

25 SECRETARY VILLA: Eaton?

1 BOARD MEMBER EATON: Aye.

2 SECRETARY VILLA: Jones?

3 BOARD MEMBER JONES: Aye.

4 SECRETARY VILLA: Medina?

5 BOARD MEMBER MEDINA: Aye.

6 SECRETARY VILLA: Paparian?

7 BOARD MEMBER PAPARIAN: Aye.

8 SECRETARY VILLA: Roberti?

9 BOARD MEMBER ROBERTI: Aye.

10 SECRETARY VILLA: Moulton-Patterson?

11 CHAIRPERSON MOULTON-PATTERSON: Aye.

12 Thank you.

13 And next, Number 16, we have a presentation. And

14 I believe Ms. Packard will be giving us that.

15 BOARD MEMBER JONES: Madam Chair?

16 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

17 BOARD MEMBER JONES: Just real briefly before we
18 get into universal waste.

19 On August 15 -- or I'm sorry -- on August 12 --
20 it should have been part of my report, and I messed it up.
21 On August 12th at our Committee meeting, Michael
22 Blumenthal from the Rubber Manufacturers -- rubber
23 whatever it is -- RMA -- is going to come with five
24 professionals from different tire manufacturing companies.
25 We've allocated them an hour in the Committee meeting. I

1 think they're going to address some of the issues that
2 Senator Roberti brought up. They haven't given us an
3 agenda. But I want to offer to the other members that
4 aren't on the Committee just to let them know that we'd
5 love to see them there to deal with some other, you know,
6 tire issues from the manufacturers. So that will be
7 August 12th.

8 And then on the 15th, we've got the tire subsidy
9 report will be discussed in a workshop -- Board workshop
10 on the 15th here. And that again is one that -- that
11 report that we kind of put on hold for a workshop. And I
12 apologize for not including that in my report.

13 Thanks, Madam Chair.

14 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you,
15 Mr. Jones.

16 BOARD MEMBER PAPARIAN: Mr. Jones, I understand
17 that --

18 CHAIRPERSON MOULTON-PATTERSON: Mr. Paparian.

19 BOARD MEMBER PAPARIAN: Thank you.

20 The tire manufacturers who are coming, actually
21 from a brief conversation I had with Mr. Blumenthal, I
22 think they want to address some of the issues that I've
23 been very interested in, including the recycled content in
24 tires and some related issues. So I just wanted to alert
25 our staff and yourself, to the extent that they are going

1 to address those issues, I'd like to get a little -- I'm
2 going to try to talk to Mr. Blumenthal ahead of time, but
3 I'd like to be very involved in what's going on in terms
4 of the presentation and response.

5 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you,
6 Mr. Paparian.

7 Ms. Packard.

8 ASSISTANT DIRECTOR PACKARD: Thank you, Madam
9 Chair. And good morning, Board Members. Rubia Packard
10 with the Policy Office.

11 We have two short presentations for you this
12 morning, one a staff presentation and one by the
13 contractor that conducted this study.

14 Claudia Moore will be giving you some
15 introductory information about the study and a little bit
16 of background.

17 And then we have Karin Bloomer and Tim Lynch from
18 MGT of American, Incorporated, the contractor for this
19 study. And so they will be presenting the results of the
20 Universal Waste Management Options and Education Study.

21 And before we start that I'd just like to say two
22 things:

23 One is that we kind of feel like this is really
24 basically a start on addressing some of the issues around
25 how universal waste will be managed in the future. So we

1 will be transmitting the results of this study to the
2 Department of Toxic Substances Control. They do have a
3 workgroup that is intended to work on this issue and help
4 figure out how we're going to establish an infrastructure
5 to handle this waste. So we'll be transmitting this study
6 to DTSC shortly after the Board hears the study -- the
7 results of the study and working with them through this
8 workgroup to figure out what we're going to do with this
9 waste in 2006.

10 So with that, Claudia will make a short
11 presentation.

12 (Thereupon an overhead presentation was
13 presented as follows.)

14 MS. MOORE: Thank you.

15 Good morning, everyone.

16 The Universal Waste Management Option and
17 Educational Study. The purpose of today's item is to
18 provide the Board members with the final draft copy of the
19 Household Universal Waste Generation in California report
20 on the Universal Waste Management Options and Education
21 Study.

22 --o0o--

23 MS. MOORE: The Board initiated the study to look
24 at local government household collection infrastructure
25 program's needs regarding specific household universal

1 waste, or u-waste, to understand, first, the impact of the
2 State's u-waste regulations that were finalized in
3 February of 2002 and householders' awareness in use of
4 household hazardous waste collection events.

5 --o0o--

6 MS. MOORE: U-waste consists of specified
7 post-user consumer items that are hazardous wastes and are
8 present in significant volumes in the solid waste stream.
9 The study focused on household generated u-waste items
10 that were limited to fluorescent lamps, household
11 batteries, and mercury thermostats.

12 --o0o--

13 MS. MOORE: The regulations prohibit disposal of
14 these u-waste items by householders in the trash after
15 February of 2006. And, therefore, they must be diverted
16 to household hazardous waste collection events or
17 facilities or handler of u-waste. The primary burden
18 though for funding the collection and processing of
19 u-waste for households falls mainly on local governments.

20 --o0o--

21 MS. MOORE: The study consists of an examination
22 of Fiscal Year 2000-2001 capacity for household hazardous
23 waste programs to handle the specific types of u-waste,
24 and an examination of the current costs to handle these
25 u-wastes, and the costs of handling the expected volume in

1 2006.

2 The study consisted also of a survey of
3 fluorescent lamp, battery, and thermostat manufacturers
4 and/or trade associations to assist in projecting the 2006
5 u-waste generation volumes and a statewide survey of
6 householders to understand California's behavior relative
7 to awareness of and participation in household hazardous
8 waste collection efforts.

9 --o0o--

10 MS. MOORE: That's just a brief introduction to
11 what the study looked at. And now we have Tim Lynch and
12 Karin Bloomer from MGT of America who were approved as
13 contractors for the \$50,000 study at the May 2001 Board
14 meeting.

15 Karin Bloomer will speak first from MGT.

16 CHAIRPERSON MOULTON-PATTERSON: Good morning.

17 MS. BLOOMER: Good morning, Madam Chair and Board
18 Members. Thank you for having us.

19 I'd just like to quickly walk you through how we
20 went about the study and then talk about the findings.
21 And then Tim Lynch will speak more to some of the higher
22 level policy considerations for the Board.

23 --o0o--

24 MS. BLOOMER: We essentially collected our data
25 through three surveys of three different entities.

1 First manufacturers. We surveyed them to
2 estimate the current and projected u-waste volume. And
3 you'll see here the statewide sales -- current sales in
4 2001 and projected sales in 2006.

5 --o0o--

6 MS. BLOOMER: We made some assumptions in order
7 to conduct this study using the manufacturer data, first
8 that the sales numbers that they gave us are -- equate to
9 the generation of these u-waste types. In other words,
10 for every item sold in a given year, that same -- a
11 commensurate number of items would be disposed of.

12 Secondly, that all of these u-waste types that
13 are generated in a given year will be collected through
14 the HHW facilities and events and will not be discarded in
15 the trash.

16 And, finally, because we had statewide data from
17 manufacturers, we assumed that sales and generation are
18 distributed across counties just based on population, and
19 we used population distribution for that purpose.

20 --o0o--

21 MS. BLOOMER: Our second survey was to local
22 government agencies, sponsor agencies of HHW
23 jurisdictions. We asked them what their current handling
24 capacity is for u-waste volumes, in other words their
25 maximum amount that they can currently handle, the volume

1 that they did handle in 2000-2001, and the cost -- the
2 current cost to handle those items.

3 We also asked them what it would cost to improve
4 their infrastructure to handle the projected 2006 volumes
5 expected, again based on the manufacturer's sales. We
6 took their self-reported numbers and presented those in
7 our study and our report in today's slides.

8 Our final group that we surveyed were
9 householders in California. This was a random digit dial
10 phone survey of 128 Californians at their homes. It is a
11 representative sample of the State. It does have an error
12 rate of plus or minus 8.7 percent, given the small sample
13 size.

14 --o0o--

15 MS. BLOOMER: Looking now to findings, universal
16 waste volume that is currently collected compared to that
17 which is projected to be collected in 2006. When you look
18 at these numbers, please keep in mind this is just our
19 survey respondents. Over half of the 62 that were
20 surveyed responded, so this represents only slightly over
21 half of what would represent the State.

22 So if you look at what's currently collected in
23 2000-2001, you'll see, you know, in the tens of thousands,
24 hundred-thousands of lamps, pounds per batteries. For
25 thermostats we don't have a number here, because of units

1 of measure problems we could not compare thermostats
2 across counties. And Tim will speak more to that later.

3 When you look at how that compares to the future
4 estimated number to be collected, it's absolutely
5 dramatic, as you can see, the amount that's expected in
6 2006. And we can talk about some reasons for that jump in
7 volume.

8 --o0o--

9 MS. BLOOMER: First, again remember that the
10 numbers we're presenting for 2006 assume, in essence, the
11 greatest impact scenario. It's assuming that all
12 Californians respond to the 2006 regulations by
13 appropriately diverting their u-waste to HHW facilities
14 and events. So 100 percent collection. And that's why
15 the 2006 number is so big.

16 And, similarly, looking at current collections,
17 they're very small. They're only one percent of current
18 sales. So a real -- very disparate numbers.

19 --o0o--

20 MS. BLOOMER: Looking more at current collections
21 as a percent of sales, this gives you a sense of this
22 disparate -- these numbers collected versus sales. In
23 current year, 2000-2001, for those 32 respondents, if you
24 look at what the sales were in that same year, collections
25 represent an absolute fraction of that which was sold.

1 Again, it's not required currently that householders
2 discard their u-waste at collection sites.

3 --o0o--

4 MS. BLOOMER: So what does this all cost? If you
5 convert what's currently collected to dollars, these
6 county respondents told us that it totals slightly over
7 \$200,000 currently. What they told us, that in order to
8 collect the projected amounts in 2006 is an inordinate
9 increase, over \$41 million. So if you add up the two,
10 current and additional costs, 2006 total handling costs
11 just for those 32 respondents, slightly over half of the
12 State, \$41.9 million.

13 --o0o--

14 MS. BLOOMER: Then moving on to the household
15 survey, again 128 survey samples of our State. What they
16 told us was that just under three quarters of the
17 respondents could, in fact, identify correctly household
18 hazardous waste. Forty percent of those were aware of
19 either a facility or an event in their area, and just
20 under a third have, at some point, taken some u-waste item
21 to an HHW facility or event.

22 That could be oil, paint, you know, much more
23 commonly collected u-waste types, or of course it could be
24 one of the three u-waste types that we were concerned
25 about. Again, this is just at a point in time "have you

1 ever brought it to an event or facility?" So this isn't
2 asking about frequency, whether people currently routinely
3 bring their u-waste to these sites. It's just a point in
4 time. And, again, it's all household hazardous waste, not
5 the three u-waste types that will become critical in 2006.

6 --o0o--

7 MS. BLOOMER: Now, Tim's going to talk to you
8 about some high-level policy considerations from the
9 study.

10 MR. LYNCH: So one of the first important things
11 we found when we surveyed the local jurisdictions is that
12 none of them reported a current capacity shortfall. So
13 not a single respondent to our survey of the 32 said,
14 "We're currently unable to handle the volume of universal
15 waste that we're getting."

16 We think that's important for a couple reasons.
17 The next bullet shows you this term we've coined as
18 contracted capacity. Many of these local jurisdictions
19 that we spoke with view their capacity as tied to their
20 hauling. And there are haulers who either come when a
21 certain number of 55-gallon drums are full or run the
22 actual events themselves. So as one local jurisdiction
23 put it to us, "The more we collect, the more we haul
24 away." So they don't view themselves as having a fixed
25 capacity, rather a capacity tied to their contractor.

1 And what that means is it's obviously tied to
2 their ability to pay for these contractors. So as volume
3 increases, the local jurisdictions are either going to
4 have to pay for more frequent hauling or, you know, larger
5 volume hauling.

6 And it's unclear and unlikely if the local
7 governments will be able to shoulder this full cost. So
8 as collection increases and as costs increase, local
9 jurisdictions may need to either dramatically increase
10 their funding for these haulers or think about other ways
11 to move their materials out of the HHW facilities.

12 --oOo--

13 MR. LYNCH: In addition, remember that we only
14 examined three specific universal waste types. We had a
15 number of local jurisdictions tell us that they consider
16 their practices relative to all of the materials they
17 collect. So, for example, we had one county tell us that
18 they were on the verge of opening a new antifreeze,
19 battery, oil and paint facility, in which they would try
20 and shift some of their paint collections to it. That
21 would then free up space for more fluorescent tube and
22 battery collections at their current HHW facilities.

23 So, in essence, what we're saying is that the
24 waste practices need to be looked at, taken a more
25 complete view of than specific to three universal waste

1 types.

2 In addition, there are some measurement
3 difficulties that the local jurisdictions are finding.
4 Lamps and batteries, we heard respondents give us data in
5 terms of the number of feet they collect, the number of
6 pounds they collect, or the number of units they collect.
7 So if you're trying to make an apples-to-apples
8 comparison, you're doing some conversions and, you know,
9 with each additional conversion that is made, possible
10 errors can be introduced into the data. So that's
11 something the Board should consider as they're continuing
12 to examine these different waste types and wanting to
13 establish base-line volumes over time, how are we
14 measuring and across counties how are we measuring?

15 Similarly with thermostats, counties told us that
16 they don't handle those as discrete waste types. So one
17 respondent told us, "We view thermostats as a larger
18 collection of mercury waste." So it's very difficult at
19 the local level to separate out what is our exact
20 thermostat collection versus what's our larger bucket of
21 mercury-contaminated waste.

22 What that means for the Board is that they may
23 either have to ask the HHW facilities to measure something
24 different than they're currently doing now or re-examine
25 the way that the Board is collecting the data. So in

1 other words, new conversions for separating out
2 thermostats as a percentage of all mercury-containing
3 waste, for example.

4 --o0o--

5 MR. LYNCH: Another problem at the local level is
6 cost allocation. When we did the survey we asked HHW
7 facilities to tell us about their different costs relative
8 to personnel and labor, transportation and hauling, site
9 conditions and storage, those types of things.

10 Many counties have a very difficult time breaking
11 down the detail to that level. As a result, the data
12 we're presenting to you is shown rolled up to the total
13 cost figures. In the report you'll see we've created a
14 profile for each of the responding counties so you can
15 look at these breakdowns a little bit more. But, again,
16 if you're trying to get an accurate picture of a specific
17 cost and how that will change over time, please note that
18 counties have a difficult time doing that level of
19 analysis at this point.

20 Part of that reason is related to the next
21 bullet, which is many of the counties currently aren't
22 collecting these waste types, so they have no experience
23 on which to base either their costing or their projections
24 for the future on costing.

25 In our survey 50 percent of the respondents

1 currently do not collect thermostats, a third do not
2 collect fluorescent lamps, and a handful do not collect
3 batteries. So they're having a difficult time trying to
4 figure out what the future is going to look like because
5 they don't even know what the current state looks like.

6 Finally, as Karin pointed out, our survey of the
7 householders was a snapshot. It does not delve deeper
8 into household motivation, adoption rates, awareness, and
9 some of the education issues that will certainly face the
10 Board as the regulations change and as we get closer to
11 2006 and householders will have to act.

12 As you may have noticed in the figures that Karin
13 showed you earlier, there's a relatively high awareness
14 rate of HHW facilities and programs right now. But
15 converting that to actual usage is a bit more difficult.
16 As we showed you, less than one percent of universal waste
17 sales right now is converted into -- or collected by the
18 household hazardous waste facilities.

19 So there's some issues you'll need to look at as
20 you go through the data and as you look at the numbers,
21 some of the things that are behind that.

22 --o0o--

23 MR. LYNCH: And with that, we would like to thank
24 Claudia and Rubia for all their hard work in assisting us.
25 And we will take any questions if you have any.

1 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you
2 very much.

3 Questions?

4 Mr. Jones.

5 BOARD MEMBER JONES: I just have a quick one.

6 On your one slide, ten, I think, you said that
7 the jurisdictions didn't have any problem handling today's
8 capacity?

9 MR. LYNCH: Today's volume, right. So none of
10 the jurisdictions -- we asked jurisdictions, "Are you
11 currently receiving a volume" -- essentially, if you're
12 receiving a volume that is so high that you have to turn
13 it away because you don't have either the capacity or the
14 facilities to deal with it. And none of them said they
15 do. So in other words all of the jurisdictions that we
16 spoke to said, "Yes, we can currently handle the volume of
17 universal waste that we receive today."

18 BOARD MEMBER JONES: Okay. But your data
19 suggests that there's 15 million fluorescent tubes in the
20 system every year, and that of that 19,000 were recovered.

21 MR. LYNCH: Right. That's exactly right.

22 BOARD MEMBER JONES: So did you ask the question,
23 could they handle their share of the 15 million tubes?

24 MR. LYNCH: The way we looked at that was asking
25 about the future volumes. We gave each of the survey

1 respondents a projection of their 2006 volume and said --
2 we assumed that they would not be able to handle it,
3 because they've had no need to. Householders currently
4 aren't required to divert. So we gave them the 2006
5 volume and said, "We expect in 2006 you'll receive this
6 dramatic increase. What would it cost you and in what
7 cost categories would it take for you to handle this
8 volume of waste?" So we essentially assumed that they
9 would not be able to handle the dramatic increases and
10 said, "What would it take?"

11 BOARD MEMBER JONES: Okay. And the 15 million,
12 is that both commercial and residential usage or is it
13 just for residential?

14 MR. LYNCH: Household only. When we spoke to the
15 manufacturers, we spoke to them specifically about
16 household sales.

17 BOARD MEMBER JONES: All right. Thanks.

18 CHAIRPERSON MOULTON-PATTERSON: Okay. Any other
19 questions?

20 Mr. Paparian.

21 BOARD MEMBER PAPARIAN: Yeah. Thank you, Madam
22 Chair.

23 This is actually more for our staff. This
24 provides a great, you know, baseline to look at this
25 issue. And I think staff referred to the working group

1 that DTSC has. But it seems like from our CRT experience,
2 where that came kind of suddenly at us, that we had a CRT
3 ban from landfills. At least on this one, we have a few
4 more years to work on it. And maybe if we learn from what
5 we learned from the -- some of the e-waste experience, are
6 we -- do we have our own working group on this? How are
7 we proceeding? Because it's, you know, something that
8 affects obviously P&E and Special Waste and Markets and
9 the Policy Office and our relations with DTSC and so
10 forth.

11 ASSISTANT DIRECTOR PACKARD: We do have staff
12 that we work with within the Board. But the working group
13 that I was talking about is intended to be kind of a
14 cross-media working group with DTSC and anybody else
15 that -- ARB, anybody else that needs to be involved. It
16 is a group that has been in existence for some time and
17 actually has done some pretty positive things.

18 Originally, DTSC was going to ban -- was going to
19 do the same thing with this waste that they did with the
20 CRTs, ban them immediately. And through that working
21 group and through our comments and discussions, we were
22 able to get them to institute that moratorium until 2006
23 so that we would be able to do something with the
24 infrastructure before the ban actually went into effect.

25 So the working group did -- as a group were able

1 to at least effect that.

2 So, anyway, there is a plan that DTSC has put
3 together. We're actually going to be talking this week, I
4 believe internally, and then with DTSC about what we can
5 do, who should be doing what, et cetera, what kind of
6 effort this is going to be to take us from this
7 information to the next level of figuring out, do we need
8 legislation for additional funding for these, you know, is
9 it going to be a focused effort on recycling facilities
10 and collection centers at recycling facilities and totally
11 bypass household hazardous waste collection events?

12 There's a lot of issues about collection,
13 particularly of fluorescent tubes because they're so
14 easily breakable, that need to need to be addressed.

15 There's a lot of things that we need to talk
16 about, and we will be doing that through DTSC and probably
17 still meeting internally just us as well to talk about
18 some of our issues that we take to that bigger group.

19 BOARD MEMBER PAPARIAN: Yeah. I mean from the
20 electronic waste, obviously we had a lot of concern from
21 the LEAs, I think we still even have some lingering
22 concern from the LEAs about, you know, how to deal with
23 these things from their perspective, you know, with the
24 electronic waste.

25 And I think maybe learning from that, we can

1 maybe anticipate some of the issues that they're going to
2 be facing and maybe, you know, prepare materials, prepare
3 training, prepare -- you know, prepare to answer their
4 questions, prepare the LEA advisories and so forth that we
5 might need. That's just one example. But I think that
6 having our own -- it sounds like you're already doing
7 this, but having our own discussions within the Waste
8 Board about the issues that face the various
9 constituencies from the various divisions that we have
10 will be important over the next few years. We have the
11 time to do it. But three and a half years maybe isn't --
12 you know, it isn't that much time. And so --

13 MS. WILLD-WAGNER: Just an additional note, Board
14 Members. Shirley Willd-Wagner, Special Waste Division.

15 We do continue to meet with the local governments
16 that are implementing these programs on an
17 every-other-month basis with their household hazardous
18 waste information exchange groups. So we're definitely
19 working that information back and forth with the local
20 governments that are being tasked with collection and
21 paying for all of these programs right now, and bring that
22 information back to the working group with DTSC and the
23 Waste Board.

24 BOARD MEMBER PAPARIAN: It might actually be
25 worth considering perhaps the Special Waste Committee

1 consider, you know, some time in the next year or so a
2 workshop or, you know, some public meeting-type format to,
3 you know, solicit from some of the constituencies what
4 some of their concerns are and some of the directions they
5 think we should take, you know, the household hazardous
6 waste programs, the landfill operators, the LEAs and so
7 forth.

8 BOARD MEMBER JONES: Yeah, I have no problem with
9 doing that. I worry a little bit about the fact that
10 three percent of the citizenry uses hazardous waste things
11 in any given year. It scares me, because this isn't as
12 much about the LEAs as it is about the citizens. I mean,
13 we have a ban on e-waste at landfills and yet we're seeing
14 CRTs and televisions all up and down the streets. So that
15 stuff is being picked up by county crews, by landfill
16 crews, brought into a household hazardous waste facility,
17 but it's not being accounted for as to how much illegal
18 dumping's going on. And, you know, clearly that has to be
19 part of the discussion, because -- I mean, as far as I'm
20 concerned, the e-waste, the way that this ban happened was
21 a debacle for local government, because citizens weren't
22 aware. And when they found out how much it was going to
23 cost them, they just drove out with it and then dumped it
24 down in a ravine. And that's the reality of that program.

25 So I think this one is even worse because it's

1 pretty simple to bust a tube in a can. And until you've
2 dumped them and had that stuff all over your arms, you
3 don't have any idea where it's located, and you only see
4 it after it's been dumped. So that was one of the issues
5 we brought up to Ed Lowery when he wanted to do a ban on
6 this, was that, you know, we've got a lot of work to do
7 before it gets there.

8 So clearly we'll make this a priority. But it's
9 scary when I look at some of the numbers in this report,
10 because I don't see -- well, I guess we'll just use the
11 numbers as a baseline to look at some issues. But these
12 issues are going to end up with an awful lot of stuff
13 busted in barrels once it becomes banned. And that's
14 going to create a real problem.

15 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
16 Jones.

17 And thank both of you for the excellent report.

18 Okay. That brings us to Diversion, Planning, and
19 Local Assistance.

20 And I'll call on the Chair of that Committee, Mr.
21 Jones.

22 BOARD MEMBER JONES: Thanks, Madam Chair. I'll
23 make this one quick.

24 Our Committee did its work, because we got 35
25 items put on consent.

1 I do want to know if we've got the agenda items
2 revised.

3 CHAIRPERSON MOULTON-PATTERSON: We do.

4 BOARD MEMBER JONES: Okay. The one pulled item
5 for the Monterey Park was we were going to have a hearing
6 to put them on compliance. They had offered a schedule
7 that would have mirrored compliance. We gave them until
8 the September Board meeting to accomplish that. And if
9 they do, we will treat it a certain way. And if they
10 don't, we will reconvene the Board to deal with
11 compliance.

12 Five items went to the Board. And I do have to
13 thank the members of our Planning Committee and our staff.
14 Staff's made these easy to read. And the results are with
15 the real fast moving Linda Moulton-Patterson, Mr. Eaton,
16 and Mr. Medina, because we do rock and roll in that
17 Committee.

18 So that's it. Thanks.

19 CHAIRPERSON MOULTON-PATTERSON: Thank you.

20 And with that, I believe that brings us to Item
21 39, 40, and 41. And we do have -- just being passed out
22 are the revised resolutions.

23 BOARD MEMBER JONES: Madam Chair?

24 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

25 BOARD MEMBER JONES: I would like to move

1 adoption of Resolution 2002-397, revised; 2002-398,
2 revised; and 2002-399, revised.

3 BOARD MEMBER MEDINA: Second.

4 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
5 motion my Mr. Jones, seconded by Mr. Medina, to approve
6 Resolution 2002-397, revised; 398, revised; and 399,
7 revised.

8 Please call the roll.

9 SECRETARY VILLA: Eaton?

10 BOARD MEMBER EATON: Aye.

11 SECRETARY VILLA: Jones?

12 BOARD MEMBER JONES: Aye.

13 SECRETARY VILLA: Medina?

14 BOARD MEMBER MEDINA: Aye.

15 SECRETARY VILLA: Paparian?

16 BOARD MEMBER PAPARIAN: Aye.

17 SECRETARY VILLA: Roberti?

18 BOARD MEMBER ROBERTI: Aye.

19 SECRETARY VILLA: Moulton-Patterson?

20 CHAIRPERSON MOULTON-PATTERSON: Aye.

21 Okay. According to my notes, that brings us to
22 Item Number 54.

23 DEPUTY DIRECTOR SCHIAVO: Actually 55.

24 CHAIRPERSON MOULTON-PATTERSON: Oh, we did --

25 DEPUTY DIRECTOR SCHIAVO: Fifty-four is pulled.

1 CHAIRPERSON MOULTON-PATTERSON: Okay, sorry.
2 Fifty-five.

3 DEPUTY DIRECTOR SCHIAVO: Okay. Item 55 is
4 discussion and request for direction on Board-approved SB
5 2202 workplan recommendations on jurisdictions diversion
6 rate accuracy indicators.

7 And this will be presented by Nick Cavagnaro.

8 (Thereupon an overhead presentation was
9 presented as follows.)

10 MR. CAVAGNARO: Good morning, Madam Chair and
11 Board Members.

12 This is Agenda Item 55, discussion request for
13 direction on the Board-approved Senate Bill 2202 workplan
14 recommendation on jurisdiction diversion rate accuracy
15 indicators.

16 --o0o--

17 MR. CAVAGNARO: This slide summarizes the Board
18 and public review of the diversion rate measurement system
19 and diversion rate accuracy indicators. This presentation
20 asks for direction regarding implementation of one of the
21 recommendations, diversion rate accuracy indicators.

22 --o0o--

23 MR. CAVAGNARO: Diversion rate accuracy
24 indicators has five categories: Rural status,
25 jurisdiction size, base-year age, adjustment method

1 factors, and disposal reporting system data.

2 --o0o--

3 MR. CAVAGNARO: A graph helps explain an
4 indicator. This one shows a jurisdiction's disposal
5 tonnage compared to all other jurisdictions. Graphs like
6 this for each indicator are included in the indicator's
7 tool. Attachment 3 in the agenda item is a sample of the
8 indicator's graphs.

9 --o0o--

10 MR. CAVAGNARO: Staff received 13 written and 3
11 phone comments from jurisdictions and consultants. This
12 in the next two slides summarizes comments received.

13 They include: Clarify the graphs and
14 explanations. Use the most recent data and include data
15 sources. Change a formula to correct a math error. Add
16 graphs showing trends over time for some indicators.

17 --o0o--

18 MR. CAVAGNARO: Explain adjustment method and
19 negative diversion rates. Clarify how the Board will use
20 indicators. And suggestions for improving DRS accuracy.

21 --o0o--

22 MR. CAVAGNARO: In addition, the public asked
23 that we include other indicators such as visitor influx,
24 seasonal population changes, posting a landfill or
25 transfer station. And all indicators listed in the Senate

1 Bill 2202 report, whether quantifiable or not. Also, we
2 received a comment that we not add other indicators.

3 --o0o--

4 MR. CAVAGNARO: Changes made to indicators based
5 on public comments include: We clarified in enhanced
6 graphs and explanations. Indicators use the most recent
7 data and includes data sources. We corrected a math error
8 in a formula. And we added a supplemental diversion rate
9 accuracy issues table with all indicators listed in the
10 Senate Bill 2202 report.

11 --o0o--

12 MR. CAVAGNARO: Also based on public comments,
13 staff proposed two changes be made to indicators at a
14 future date: Add trends in disposal and adjustment
15 factors; and add the range of calculated diversion rates.

16 --o0o--

17 MR. CAVAGNARO: This slide summarizes staff
18 response to comments that did not prompt changes to
19 indicators. Regarding the question: How will the Board
20 use indicators?

21 Staff responded that the Board will continue to
22 evaluate compliance on a case-by-case basis. We also
23 responded that revised DRS regulations will address some
24 of the accuracy issues associated with the disposal
25 reporting system; Board staff will continue to investigate

1 the availability and usefulness of other indicators; and
2 jurisdictions are still encouraged to submit additional
3 information they think affects diversion rate estimate
4 accuracy.

5 --o0o--

6 MR. CAVAGNARO: Key indicator issues include:

7 --o0o--

8 MR. CAVAGNARO: These indicators are not
9 conclusive. They are caution signals that the diversion
10 rate estimate may be inaccurate.

11 Indicators provide a standard method of
12 evaluation for every jurisdiction, a quantitative
13 supplement to the diverse rate estimate.

14 Jurisdictions may include other accuracy data in
15 their annual reports to the Board. Office of Local
16 Assistance staff currently include this type of
17 information in biennial review agenda items. Indicators
18 is a tool that should help to balance diversion rate data
19 with diversion program information.

20 Finally, other indicators that are not
21 quantifiable but were listed in the Senate Bill 2202
22 report have been included as a supplementary table.

23 --o0o--

24 MR. CAVAGNARO: Options for the Board include:

25 1) Implement indicators beginning with the next

1 full biennial review cycle.

2 2) Modify indicators and return for further
3 discussion and direction.

4 3) Modify indicators as directed. Then
5 implement indicators beginning with the next full biennial
6 review cycle.

7 --o0o--

8 MR. CAVAGNARO: Staff recommend Option 1, which
9 is to direct staff to implement indicators beginning with
10 the next full biennial review cycle.

11 That concludes my presentation. I would be happy
12 to answer questions.

13 CHAIRPERSON MOULTON-PATTERSON: Thank you very
14 much for that presentation.

15 Questions?

16 Mr. Jones.

17 BOARD MEMBER JONES: No, Madam Chair. I think we
18 just ought to direct staff to go with Option 1.

19 CHAIRPERSON MOULTON-PATTERSON: Okay. Any
20 objections to that?

21 Hearing none, it's the direction to go with
22 Option 1.

23 Thank you.

24 MR. CAVAGNARO: Thank you.

25 CHAIRPERSON MOULTON-PATTERSON: Fifty-six, Mr.

1 Jones.

2 BOARD MEMBER JONES: Thanks, Madam Chair.

3 I asked our staff to -- this was on Committee
4 consent when it was heard. There's an issue that has come
5 up and it relates to fully permitted landfills that have
6 chipping and grinding operations as a part of their RDSI
7 or RFI report of facility information. It's been approved
8 in the permit. They use it for the processing of green
9 material for ADC or to move off site as feedstock for
10 composting facilities or mulching facilities. Those had
11 always been outside of a facility. Our new compost regs
12 may include a registration tier for chipping and grinding.

13 A permit will go through either a Neg Dec or
14 through a full EIR. But it will always go for local
15 government and then up to this Board for concurrence where
16 the issues of an on-site grinding operation will be
17 identified.

18 An NDFE does not have to go through CEQA. It
19 just has to be identified and put into the plan. The
20 concern of some was that these existing operations could
21 be -- will be viewed as a facility under our new compost
22 regs. And the resolution to not have to make these people
23 keep going through hoops is that they've already been
24 identified as of today as part of an ongoing operation to
25 the landfill, they have been part of us -- that meant it's

1 already gone through the process.

2 And as long as it continues just in that
3 activity, this would -- the substitute motion that I've
4 sent to everybody's office, with the help of the Legal
5 Office when this issue came up, is a way that they don't
6 have to go through another set of hoops because it's
7 already been designed -- it's already been identified in a
8 permit, and that it would just be less bureaucratic and
9 there wouldn't be a need to go through a whole bunch of
10 other stuff for something that's already been identified.

11 This has nothing to do with the landfill that is
12 going to put in a composting facility. They'd have to go
13 through the NDFE process. It's got nothing to do with one
14 that's going to put a MERF up there. That would go
15 through the NDFE. This is on preexisting, operating
16 chipping-grinding operations that are part of the
17 operation of a landfill today that just because of the
18 treatment of our proposed regulations may be treated as
19 something different. It's a way to not, you know, make it
20 so burdensome.

21 CHAIRPERSON MOULTON-PATTERSON: Okay. And we do
22 have Teresa Dodge from the Los Angeles County Sanitation
23 District if there are any questions.

24 Mr. Eaton.

25 BOARD MEMBER EATON: What happens if they cease

1 the operation? You mentioned activity. So if the
2 activity moves to a different location, what takes place?

3 BOARD MEMBER JONES: Then you'd have to have
4 another NDFE. We're just talking about --

5 BOARD MEMBER EATON: Because you mentioned
6 activity, but you meant --

7 BOARD MEMBER JONES: -- the operation.

8 BOARD MEMBER EATON: -- the operation at a
9 particular site?

10 BOARD MEMBER JONES: At that site.

11 BOARD MEMBER EATON: And then --

12 BOARD MEMBER JONES: Yeah, if they took the
13 chipping and grinding and moved it somewhere else, then
14 they'd have to go through the NDFE. We're just talking
15 about a preexisting operation at a permitted site.

16 BOARD MEMBER EATON: So are we by our actions
17 today predetermining what our regulations are going to be?

18 BOARD MEMBER JONES: No. This -- our regulations
19 -- I don't think so. I mean, I think our regulations are
20 going to categorize chipping and grinding where they
21 weren't --

22 BOARD MEMBER EATON: You know what I'm saying? I
23 don't generally have a problem, but we didn't hear from
24 the respective parties in Committee. And I just wanted to
25 make sure that what drives the regulations are -- you

1 know, is this going to drive the regulations or the
2 regulations going to, you know, drive the spot? And
3 that's my question. But you say it won't have any effect?

4 BOARD MEMBER JONES: I think just in fairness,
5 the letter and the activity came not so much after our
6 action at the Committee meeting, but I think in
7 conjunction with the work that's being done on the new
8 composting regs.

9 CHAIRPERSON MOULTON-PATTERSON: Any comment from
10 staff or --

11 DEPUTY DIRECTOR SCHIAVO: No.

12 CHAIRPERSON MOULTON-PATTERSON: Okay.

13 BOARD MEMBER PAPARIAN: Madam Chair?

14 CHAIRPERSON MOULTON-PATTERSON: Mr. Paparian.

15 BOARD MEMBER PAPARIAN: Yeah. I think what I'd
16 like to do is put this over for a month. And so that we
17 can look at the relationship of this to the composting
18 regs, and then answer some -- you know, get at Mr. Eaton's
19 suggestion that we may be presupposing the outcome of the
20 composting regs by taking some action that would affect
21 things related to the composting regs. And I'd also just
22 like to, you know, look at the issues of --

23 BOARD MEMBER JONES: That's fine.

24 BOARD MEMBER PAPARIAN: -- you know, whether
25 we're setting some sort of precedent involving NDFEs which

1 might be used elsewhere. That's been a hot button issue
2 here since I've been on the Board.

3 I don't want to presuppose -- I don't want to
4 offer an opinion one way or another on this. But I think
5 just, you know, given that this is new, the resolved
6 section is relatively complex, it's 107 words in a single
7 sentence, I think just having a little more time to look
8 this over and look at the effects on an interrelationship
9 between other things we do would be helpful.

10 CHAIRPERSON MOULTON-PATTERSON: Okay. Senator.

11 BOARD MEMBER ROBERTI: Yes, on this item. I
12 understand the point that is being made and some of the
13 concerns Member Jones has indicated about not wanting to
14 put an entity through multiple permit hearings, I guess,
15 if they already have something established at the
16 landfill.

17 However, I also am concerned that if a facility
18 is doing one thing, processing waste in one manner or
19 another and now wants to engage in chipping and grinding,
20 then that could have an impact on everyone else in the
21 vicinity, especially if it doesn't conform to the current
22 and Nondisposal Facility Element.

23 So during the month I guess we're going to pass
24 the delay, I would like to be sort of advised as to -- if
25 this is a problem, because we have two sides of a coin

1 here. One, we don't want to put anybody through
2 unnecessary rigors when they're already overburdened with
3 permits. But on the other hand, chipping and grinding
4 could be a major addition to something that was never
5 contemplated in the Nondisposal Facility Element. I could
6 be wrong. I don't know. And I think we should know what
7 the -- how many sites are there? Seven?

8 BOARD MEMBER JONES: Yeah.

9 BOARD MEMBER ROBERTI: Seven. It would be nice
10 to know what the seven sites are so you get sort of an
11 idea what the problem is.

12 BOARD MEMBER JONES: You know, the other thing is
13 if somebody wanted to add a chipping and grinding
14 operation tomorrow, they would have to go through an NDFE.
15 We're only talking about an existing landfill operation.

16 CHAIRPERSON MOULTON-PATTERSON: I think that
17 since there are questions, that it would be wise to put it
18 over until next month, on Number 56.

19 Evan, did you wish to speak? You filled out a
20 speaker slip. But we're going to be putting it over, just
21 to let you know.

22 MR. EDGAR: Thank you, Madam Chair.

23 Evan Edgar, Edgar Associates, for the California
24 Refuse Removal Council.

25 Some great discussions today and some good

1 language have been proposed. But another key issue that
2 is emerging following chipping and grinding are the
3 upcoming CDI regulations. And I represent a lot of
4 facilities, both landfills and transfer stations, that are
5 currently handling C&D. And we're chipping and grinding
6 and we're making a lot of good strides. And all those
7 operations are fully part of the transfer possessing
8 report or part of the RDSI, so all the environmental
9 impacts and all the permitting is already done with these
10 facilities that are ongoing.

11 So as the discussion progresses over the next
12 month, I would like to include there are C&D operations
13 that are ongoing at these very same facilities.

14 Thank you.

15 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
16 Edgar.

17 Okay. We're going on to 57, which is a
18 presentation of the study of minority communities in the
19 waste stream report.

20 And I believe Mr. Schiavo will introduce this.

21 DEPUTY DIRECTOR SCHIAVO: Yes, this is
22 presentation of study of minority communities in the waste
23 stream report. And this is Contract Concept Number
24 IWM-C0058.

25 And Phil Morales will make the initial

1 presentation.

2 MR. MORALEZ: Good morning, Madam Chair and Board
3 Members.

4 To make it real brief, the item before you, the
5 contract concept was approved in the May Board meeting of
6 2001, for about \$35,000. We contracted with an
7 interagency agreement with California State University in
8 Sacramento. And Dennis Tootelian is our contractor on
9 that and has prepared the report.

10 Dennis will give a brief presentation on his
11 findings. And I'll turn it over to Dennis.

12 CHAIRPERSON MOULTON-PATTERSON: Thank you.

13 Welcome and good morning. It's still morning.

14 (Thereupon an overhead presentation was
15 presented as follows.)

16 DR. TOOTELIAN: Good morning, Madam Chair,
17 Members of the Board.

18 I'd like to take this opportunity to first thank
19 you both for the opportunity to do the study and to
20 present briefly the findings here today. I understand you
21 have a very full agenda, so I'll just highlight some of
22 the key factors that we found in the study.

23 --o0o--

24 DR. TOOTELIAN: First of all, just to briefly
25 review the purpose -- the overall purpose of the study was

1 to assist the Board and local jurisdictions to evaluate
2 and determine their program needs to meet diversion goals.

3 The goals of the study were to help foster an
4 understanding of cultural diversity in the State as it
5 relates to waste management and to help local
6 jurisdictions and the Board develop tools to evaluate the
7 effectiveness of their programs and to address the needs
8 of the diverse population of the state.

9 --o0o--

10 DR. TOOTELIAN: Some of the issues of the study
11 are up on the screen in front of you.

12 Preliminary to this we profiled 36 jurisdictions
13 in terms of their demographics and some of the things that
14 they were doing. And that's presented in your report on
15 pages 8 to 29.

16 Then we looked at jurisdictions with respect to
17 their diversion rates. And I'll come back to that in a
18 second. And we looked at jurisdictions with respect to
19 the diversity of their populations. And these were some
20 of the topics. And what I'd like to do is today, because
21 this is a study of minority in the waste streams, I'd like
22 to focus on the second element of that. All of these are
23 addressed, of course, in your report.

24 Briefly with respect to the methodology, we
25 grouped the jurisdictions based upon their diversion

1 rates. We took 36 jurisdictions in 5 areas. We took the
2 jurisdictions with the 3 highest diversion rates, the 3
3 with the lowest diversion rates, and then the 3 largest
4 population centers -- jurisdictions with the largest
5 populations, to ensure we had a good representation of the
6 State of California.

7 Ultimately, those jurisdictions represented 55.5
8 percent of the State's population and 63.8 percent of its
9 minority population. So we got a pretty good grouping
10 here. We grouped them again according to diversion rates.
11 We used 36, as you'll see in the numbers there in
12 brackets. Those are the number of jurisdictions. Two of
13 the jurisdictions we didn't have -- there weren't
14 demographic data for them, so that really brought that
15 down to 34 that we used.

16 We grouped them by diversion rate and then we
17 grouped them by the percent of their population, which
18 were Hispanic. And we focused on the Hispanic population
19 for a variety of reasons, perhaps the most significant
20 being that the Hispanic population -- and again not with
21 disrespect to any other ethnic population in the State --
22 but the Hispanic population represents a huge portion of
23 this State's population. According to the Department of
24 Finance, it represented about 30 percent in 1999, and by
25 the year 2000 will represent about 35 percent of the

1 population. So we felt that this was a very important
2 segment, as are all the segments, of course, but for the
3 purpose of this study.

4 --o0o--

5 DR. TOOTELIAN: With respect to the findings as
6 it relates to the jurisdictions based upon the percent of
7 the populations which were Hispanic, probably two of
8 the -- some of the key findings of this were that we found
9 that the percentage -- the Hispanic population tended to
10 have a smaller waste stream. In terms of the household
11 waste stream was about 51 percent smaller. And in terms
12 of the business waste stream, it was about 56 percent
13 smaller.

14 Perhaps even most important of this was when we
15 looked at the profiles of the top types of waste, there
16 were no differences really -- appreciable differences in
17 the nature especially of their household waste streams,
18 slight difference in the business, mainly being lumber in
19 Hispanic population -- high Hispanic population segments,
20 and leaves and grass in the other.

21 I'll come back to that.

22 --o0o--

23 DR. TOOTELIAN: In terms of the waste reduction
24 programs, we found that in jurisdictions that had a higher
25 percent Hispanic population they tended to have fewer

1 waste management programs operating. They had on an
2 average of 25 versus the grouping that had a relatively
3 low percent of the population being Hispanic having 27.
4 It's a relatively small difference, about an 8 percent
5 difference. But it was slightly less.

6 Perhaps the most interesting part of this
7 analysis is when we looked at diversion rates. And we
8 found the diversion -- we looked at this in two different
9 realms. One is we took the jurisdictions and grouped them
10 based upon the extent to which their populations had high,
11 moderate or low percent Hispanic populations. And then we
12 looked at them based -- regrouped them based upon
13 diversion rate.

14 If we looked and compared the diversion rates of
15 the jurisdictions which had a relatively high percent of
16 their populations being Hispanic, their diversion rate was
17 43.8. And in the jurisdictional group that had a
18 relatively small percent of their population being
19 Hispanic, the diversion rate was 33.5.

20 I will point out that this average diversion rate
21 was weighted based upon the size of the population. So we
22 didn't take a very large jurisdiction and a very small
23 jurisdiction and simply average the diversion rates. They
24 were weighted based upon population. So the diversion
25 rate was proximately 30.6 percent higher.

10 --o0o--

16 But most important is the fact that their waste
17 streams are similar. And what this means is we probably
18 don't need radically different types of waste management
19 programs. If the waste streams are the same, I think it
20 would be logical to at least initially assume that the
21 programs are fine. It may be that we need to market them
22 differently in different communities, for language, for a
23 variety of other things. But the programs themselves are
24 probably appropriate anyway.

1 also found that the diverse population is growing very
2 significantly, as I'm sure you all are well aware. In the
3 year 2000, the minority population represented about 49
4 percent of California's population. By the year 2010 it
5 will grow to about 55 percent. So I'll come back to what
6 the implications of this are for future studies very
7 quickly here. But the fact is that this is a very sizable
8 percent of the population and we need to be watching where
9 we can work with them.

10 --o0o--

11 DR. TOOTELIAN: As it relates to diversion rates,
12 we found that the number of waste reduction programs
13 wasn't directly related to diversion rates, that
14 jurisdictions that had diverse rates of 50 or higher
15 tended to have slightly fewer programs in place as
16 compared to the jurisdictions that had diversion rates of
17 less than 50.

18 So what this means is that this is not a numbers
19 game. This is probably an issue of the quality of the
20 programs and the mix of waste management programs that
21 they have in place that will affect the diversion rates.

22 We looked at grant funding, and in terms of how
23 those are broken out based upon the diversion rates of
24 jurisdictions. And we found some mixed signals here.
25 Among jurisdictions that had diversion rates of less than

1 50, they tended to have on the average more grant --
2 public grants. And the dollar value of those grants was
3 slightly higher, about \$90,000 on the average.

4 Compared to jurisdictions -- the average
5 jurisdiction in the grouping that had 50 or higher for a
6 diversion rate, they had about .5 grams as opposed to .57.
7 A minor difference. The dollars were about \$83,000. So
8 it's about 83,000 versus 90.

9 However, when we broke this out further and
10 looked on a per-person basis, looking at the population,
11 very clearly the grant dollars linked to -- perhaps linked
12 to diversion rates. In the jurisdictions that have a
13 high -- diversion rates of 50 or greater, the average
14 dollars of public grant money was about 94 cents per
15 person. In jurisdictions that had lower diversion rates,
16 the average dollars per person was about 24 cents. So
17 it's almost, you know, four times higher with the higher
18 diversion rates. So there's some mixed signals. And I
19 think that probably you need to look at just how the grant
20 funding links directly in.

21 --o0o--

22 DR. TOOTELIAN: I'd like to just kind of
23 highlight four issues for future study that I think that
24 the Board may need to -- or may wish to look at. One is,
25 what are jurisdictions doing to serve diverse populations?

1 We surveyed the 36 jurisdictions. We received responses
2 from 7 of them. Two of them said they had no data as it
3 relates to their diverse populations. Two had very
4 limited data. And that left three with much of any data
5 at all. And so that's a relatively small base. But I
6 think it's important given that -- the nature of the
7 growth of the diverse population that we know what the
8 jurisdictions are doing with their programs and with their
9 marketing efforts.

10 The second is, what are the diverse populations'
11 levels of awareness and attitudes towards waste
12 management? Given that this is a growing population, we
13 need to know what their attitudes are and how well aware
14 are they of waste management. And we know that something
15 is happening, as indicated in the diversion rates when we
16 look at the percent that are Hispanic -- the higher
17 percent Hispanic population groupings, we know sometime is
18 going on. And what are the practices that they're using
19 that perhaps have helped to elevate the diversion rates?
20 --oOo--

21 DR. TOOTELIAN: And two other issues. One is,
22 what is the impact of waste management programs, what
23 impact do they have on communities, what are the costs and
24 benefits when a jurisdiction is looking at implementing a
25 waste management program? There are obviously always some

1 good aspects of it and bad aspects of it. What are
2 economics of the good, for example, in terms of
3 increased -- potentially increased jobs, multiplier
4 effects on the economy; what are the negative impacts,
5 perhaps adverse effects, on land values immediately around
6 some of the facilities, perhaps? And issues of quality of
7 life with sight, smell, things like that. This would
8 probably be very helpful to jurisdictions to make a good
9 economic assessment of what programs would be worthwhile.

10 And, lastly, just how effective are waste
11 management programs? Probably, it's a mix of the quality
12 of the program and the composition -- the configuration of
13 the waste management programs they have in place. But
14 this could help jurisdictions make a self assessment.

15 Obviously, there's more than this in the report.
16 Again, I know you have a brief period of time. So I'd be
17 happy to answer any questions. And, again, I do
18 appreciate the opportunity to conduct this study.

19 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you
20 very much. And I'm sure there are questions.

21 I just had one quick minor one. On page 28,
22 under Santa Ana, Caucasian, 68 percent. That has to be a
23 typo there, doesn't it?

24 DEPUTY DIRECTOR SCHIAVO: (Nods.)

25 DR. TOOTELIAN: One of those is. I apologize --

1 CHAIRPERSON MOULTON-PATTERSON: Yeah, I'm sure
2 it's the Caucasian.

3 DR. TOOTELIAN: -- Madam Chair. I will get that
4 corrected. I apologize.

5 CHAIRPERSON MOULTON-PATTERSON: Okay, thank you.
6 I just wanted to point that out.

7 Other questions?

8 BOARD MEMBER JONES: Madam Chair?

9 CHAIRPERSON MOULTON-PATTERSON: Mr. Jones.

10 BOARD MEMBER JONES: A couple of slides back you
11 had said that you were -- I don't want to -- I'm asking
12 you if this is what you said -- that you were looking at
13 the programs and some had data, some had no data?

14 DR. TOOTELIAN: The jurisdictional -- I'm sorry,
15 the --

16 BOARD MEMBER JONES: Yeah, the jurisdictional
17 data when you were trying to get your staff, you said
18 three had limited data, a couple had no data.

19 What exactly was it you were asking for as far as
20 data from them?

21 DR. TOOTELIAN: Okay. Yeah, we -- what we did is
22 we send a survey to each of the 36 jurisdictions, and we
23 asked them -- and I'll answer your question. The
24 questionnaire is attached in the back of this. But by and
25 large we asked them what programs they had in place

1 specifically to serve the diverse population; did they
2 notice any differences in the waste streams, either size
3 or nature of the waste streams for the diverse population
4 as opposed to the nondiverse population. And then we
5 asked what are the special marketing efforts, if any, are
6 they using in this.

7 Those are the kinds of questions we asked.

8 BOARD MEMBER JONES: Okay. So you had three that
9 had limited -- I think I heard three had limited
10 information and two didn't have any at all.

11 DR. TOOTELIAN: Out of the seven who responded,
12 two said, "We have nothing, we have no data on this," two
13 had very limited data, virtually nothing of usefulness,
14 and then three had some pretty decent data that they
15 supplied us. And we did report that. My only caution
16 here is we're dealing with three, and they may or may not
17 be representative.

18 BOARD MEMBER JONES: No, I understand. The
19 problem in my mind is that when you've got a jurisdiction
20 and you're supposedly putting forward programs,
21 everybody's got data. You don't operate a program if
22 you're offering a legitimate program and not have data, at
23 least an idea from a hauling company what the
24 participation is, what the tonnage is, what the types of
25 materials are.

1 So I'd be interested to know which ones didn't
2 have anything, because they may be the same ones that are
3 at 50 percent diversion via pencil and paper, because
4 that's an indicator. That is a huge indicator, if they
5 don't know what's going on in their jurisdiction and can't
6 answer your survey. Because I wanted to make sure I
7 understood the question before I went off. But your
8 questions are legit, and that should have been something
9 that would have been easy if, in fact, they were watching
10 their programs at all.

11 DR. TOOTELIAN: And the questions, again I want
12 to clarify, were related to issues of minority
13 communities.

14 BOARD MEMBER JONES: Understood. But those
15 jurisdictions that have huge minorities have to tailor
16 programs to all -- they have to figure that in, and that's
17 the program you offered to everybody. So that's the real
18 problem, because I see some of these on page 4 -- and,
19 anyway, it makes me a little nervous. So thank you.

20 DR. TOOTELIAN: Sure. Thank you.

21 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
22 Jones.

23 Mr. Medina.

24 BOARD MEMBER MEDINA: Before I make my remarks,
25 Madam Chair, are there any other Board members that have

1 any questions?

2 CHAIRPERSON MOULTON-PATTERSON: Any other Board
3 Members have questions?

4 Okay. I think we'll do that.

5 BOARD MEMBER MEDINA: Okay. And if not, I want
6 to thank Dr. Tootelian for undertaking this study,
7 particularly given the magnitude of the information that's
8 required here for a rather modest amount. So first of all
9 I want to thank you for that. And I want to thank Phil
10 Morales for effectively managing the program.

11 And I just wanted to say, Madam Chair, that when
12 I came on this Board and coming from local government, and
13 in light of Assembly Bill 939 and the goal of 50 percent
14 diversion, I looked at some areas where I thought I could
15 make a difference in terms of helping local government.
16 One of those was the need to identify and expand markets
17 for recycled content materials because that is vital to
18 the reuse and recycle goals.

19 And one of the markets that I became aware of --
20 potential markets and that had to do with the tribal
21 government and the fact that there were going to be \$2.3
22 billion worth of construction this year and potentially
23 \$10 billion worth of construction in the next five years.
24 And so that presented an opportunity for us to go after
25 that market; which we were able to sign an agreement with

1 one of the tribal governments, the Morongo Tribe, to use
2 recycled content material. And so we're at least under
3 way in pursuing that market. And I know that our market
4 program here has done a good job in following up.

5 The secondary area was to take a look to see what
6 areas could be improved upon. And one of those, and I
7 think the City of El Monte's report brought this out very
8 well, that there was a significant sector of their
9 population that they were not able to reach. And so that
10 became one of the goals of the program, and that was -- of
11 this study, and that was to promote and foster a better
12 understanding of the cultural diversity of the State and
13 the impact the increasingly diverse communities may have
14 on the waste stream reduction and diversion programs, and
15 to develop a tool by which local jurisdictions can
16 evaluate the effectiveness of their waste reduction
17 programs as it relates to diverse populations and also to
18 develop a tool by which the Board can evaluate the
19 effectiveness of Board programs and addressing the needs
20 of the diverse population in the State.

21 And in regard to the goal -- and again using the
22 City of El Monte as an example -- and just from personal
23 experience, I know from personal experience of watching
24 Spanish language radio, television and newspapers, that
25 rarely, if ever, do I see anything on conservation or

1 recycling or diversion. And, again, using the City of El
2 Monte and their own report, their extension to meet the
3 50-percent diversion goal, I think that if we do the
4 careful analysis as we have done in this report and follow
5 it up by -- which I recommend putting together a working
6 group to follow up on this report so that we can better
7 evaluate the need in those communities and better tailor
8 and design programs for those specific communities and
9 move resources into underserved communities so that we can
10 help local government to better meet their 50 percent
11 diversion goal and help the State also meet its 50 percent
12 diversion goal.

13 So again I want to thank Dr. Tootelian for
14 undertaking this study. And I am committed to doing
15 follow up to this because this is also the other side of
16 the coin to environmental justice. We can't talk about
17 environmental justice and look at minority communities
18 strictly as victims. But rather we have to look at how
19 the minority communities participate in the waste stream
20 and see how minority communities can sit at the table and
21 make decisions related to having an impact on the waste
22 stream and addressing environmental justice.

23 So, again, thank you, Dr. Tootelian.

24 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
25 Medina, for your leadership on this.

1 And, Mr. Leary, maybe you can follow up with Mr.
2 Medina about a working group.

3 Thank you.

4 This moves us to our last item, which is an
5 update on the public venues waste diversion project.

6 And Mr. Shiavo is going to be handling that or --

7 DEPUTY DIRECTOR SCHIAVO: Chris Schmidle will be
8 making the presentation on this item.

9 MR. SCHMIDLE: Good morning, Chair and Board
10 Members.

11 The Board heard a report on progress of efforts
12 to increase waste diversion at public venues and large
13 events at the February 13th Board briefing. The following
14 is an update of activities since that time.

15 The first item is -- we've been working on is a
16 survey of the venues. Approximately 350 venues, such as
17 stadiums, amusement parks, race tracks, have been
18 identified statewide. From those 129 venues of different
19 sizes, types and locations were sent a survey during April
20 and May. The survey requested information on recycling
21 contacts, disposal and diversion amounts, the status of
22 current programs, potential for program expansion, and
23 perceived barriers to additional diversion.

24 A total of 36, or 28 percent, of the survey forms
25 were completed and returned.

1 Seven surveys were returned after the Board's
2 deadline, so the information in your agenda packet doesn't
3 include those responses. However, data from the
4 additional surveys remains very consistent with the trends
5 reported therein.

6 While the resulting data varied greatly by type
7 of facility and, therefore, it's not a statistical sample,
8 staff is confident that the survey responses generally
9 reflect the current state of California's venues.

10 The major summary findings are as follows: The
11 average venue generates approximately 2,200 tons of waste
12 annually. The average disposal costs were about \$110,000
13 per site. Savings due to waste reduction, which may
14 include savings in addition to reduced disposal costs,
15 averaged about \$72,000 per site.

16 In terms of programs, more than 80 percent of the
17 respondents recycled cardboard and paper, 60 to 80 percent
18 recycled cans, bottles, and plastic. However, after that
19 the program sort of trailed off.

20 Only about 30 percent of the respondents have
21 written waste reduction into supplier and subcontractor
22 agreements or are training their staff in waste reduction.
23 Less than half the venues have signage and education for
24 the attendees on site.

25 The three barriers commonly identified as

1 preventing increased diversion were facilities, space and
2 equipment, knowledge, training, and funding. And when
3 given an opportunity, over a quarter of the respondents
4 asked for help in one or more program areas.

5 In conclusion, we have two observations from
6 analysis of the data. The results support the Board's
7 initial theory that there is a compelling need for waste
8 reduction tools and assistance specific to California
9 venues. A significant percentage of venues are not
10 implementing important diversion programs, but do want
11 waste reduction assistance.

12 A copy of the survey form and more detail on the
13 survey results can be found in Appendixes A and B of the
14 background report in your agenda packet.

15 We're also working on other initiatives,
16 including internal and external coordination. We've been
17 holding interdepartmental meetings to coordinate Board
18 assistance to venues. We've also been having meetings
19 with Department of Conservation, Division of Recycling, to
20 explore ways to build upon their existing Deposit
21 Container Recycling Grants.

22 Just last week I had the opportunity to moderate
23 a roundtable session at the CRRRA conference on waste
24 diversion at public venues. And I believe there's a
25 speaker on this.

1 Staff also is working to identify and network
2 with representatives of major venue professional
3 associations to gain their cooperation and endorsement of
4 waste reduction programs.

5 Staff is also working on waste characterization.
6 There is currently no data in the Board's database for
7 venues in large events. Therefore, we are working on two
8 venue waste studies that are being conducted by separate
9 consultants this summer, the results of which will be
10 available to the Board. Board staff is assisting the
11 consultants to integrate aspects of the Board's standard
12 waste characterization method into their studies.

13 Staff is also developing venues waste
14 characterization guidelines to help standardize data
15 collection and reporting in analyzing options for
16 integrating this type of third-party information into its
17 current database management system.

18 In the area of communication tools staff is
19 designing a web site to provide venue-specific waste
20 diversion information, links to Board resources, case
21 studies of successful waste reduction programs, and other
22 data such as the survey results.

23 In Attachment D of the background report there's
24 a conceptual mockup of the venue's web home page.

25 In terms of other tools and resources, staff is

1 developing a format for standardized case study of
2 successful waste reduction programs. And we will be
3 collecting information on specific types of venues.

4 Staff is also conducting preliminary research and
5 developing model waste diversion guidelines for the
6 development of new venues for use by local government
7 planners.

8 Staff is also assessing the practicality of
9 developing diversion cost benefit estimates for venues.

10 And in terms of program planning, a rough draft
11 of the recommendations for future activities associated
12 with this project is included as Attachment C of the
13 background report. Staff is analyzing needs and resources
14 and recognizes that not all the activities being
15 researched at this time will be found feasible or
16 practical to implement.

17 Staff will bring finalized recommendations before
18 the Board at a later date, but any input the Board has at
19 this time is greatly appreciated.

20 Thank you for the opportunity to provide this
21 information. Staff will continue to bring updates to the
22 Board as the project progresses.

23 And are there any questions I can address at this
24 time?

25 CHAIRPERSON MOULTON-PATTERSON: Thank you.

1 Any questions?

2 And we do have a speaker.

3 Mr. Paparian.

4 BOARD MEMBER PAPARIAN: Yeah, just -- don't take
5 this question wrong. It seems like as this project is
6 progressing -- I think it's a very important project to
7 pursue -- it seems like it's very similar to some things
8 that go on in the Waste Prevention Division. And I
9 wonder -- yeah, it seems to overlap with some of the green
10 building, perhaps, and some of the other waste prevention
11 stuff with businesses and other things.

12 MR. SCHMIDLE: Right. We've been working
13 intradepartmental coordination. We've had brainstorming
14 sessions with the marketing people and with other --
15 anyone else in the Board that we feel is working in this
16 area.

17 I think -- to a certain extent we're not trying
18 to break new ground here or set up a competing system, but
19 rather to try to focus the attention of the industry on
20 these efforts.

21 One of the problems I found with the Board's web
22 site is we now have so much information, it's very hard
23 for various industries to come and try to find the
24 information. So what we're trying to do is put
25 information that would be links on our web site back into

1 what the Board is already doing.

2 CHAIRPERSON MOULTON-PATTERSON: Senator Roberti.

3 BOARD MEMBER ROBERTI: Yes, Madam Chair.

4 First I wanted to commend Mr. Schmidle for an
5 excellent report and survey. I truly believe this is an
6 important area that we should, in cooperation with the
7 other divisions on the Board that are working in this
8 area, that we should single-out for attention. We have a
9 unique opportunity to educate people on waste reduction
10 who are at venues, they're captive audiences of sometimes
11 thousands, even hundreds of thousands of people, and it's
12 something the Board should be cognizant of, not only in
13 education, but unique ways of getting people to reduce
14 waste.

15 The collection of material at these locations is
16 also unique. And how we process that is something which
17 is not normally the way we would process waste reduction
18 in other areas.

19 Because of those two reasons, I really think it's
20 very, very important to single out public venues because
21 we can do a great deal in terms of education and a unique
22 process of reducing wastes. So I hope the Board continues
23 with this project well into the future. And, again, I
24 want to commend Mr. Schmidle for this report.

25 MR. SCHMIDLE: Thank you.

1 CHAIRPERSON MOULTON-PATTERSON: Thank you,
2 Senator.

3 Thank you, Mr. Schmidle.

4 We have a speaker, Leslie Lukacs, SCS Engineers.

5 Good afternoon.

6 MS. LUKACS: Good afternoon.

7 I'll make this quick because I know everybody's
8 hungry.

9 So I specialize in designing recycling programs
10 at large public venues. And about two years ago I met
11 with Senator Roberti on the lack of information that was
12 out there specific to public venue recycling. And since
13 that first meeting a lot of progress has been made,
14 especially by your staff in the dedication and finding out
15 more data on public venue recycling.

16 And I hear this topic brought up more and more at
17 the State level, at the community level, at city level, as
18 well as for nonprofit organizations.

19 I just wanted to report on the CRRA conference
20 that just took place. I did a presentation there about
21 the Bowl Championship Series Recycling Program at the Rose
22 Bowl as well as the Candlestick Park Recycling Program.

23 I've actually spoke at CRRA for the last three
24 years on public venue recycling. But this is the first
25 time that CRRA has ever dedicated one session to public

1 venue recycling.

2 And with that, the session was the very last
3 speaking session of the whole conference. And it was a
4 full session. There was only standing room only. We had
5 about 68 people attending that session.

6 At the end of the session there was many
7 questions about how the communities can implement public
8 venue recycling. And a follow-up to that we suggested
9 that maybe there'd be a follow-up meeting about public
10 venue recycling. And about 70 percent of the people rose
11 their hands that they want to be a part of it.

12 So a sign-up sheet was sent out to everybody who
13 was attending. And about 80 percent of people there
14 actually signed up and wanted to have some type of
15 technical council be formed for a public venue recycling.

16 So with that information I talked to the CRR
17 Board, and they are very interested in putting more
18 efforts and supporting a technical council focusing on
19 public venue recycling.

20 And with that, I just wanted to give you that
21 update. And thank you for the support that you're giving
22 to public venue recycling, because I know that information
23 is very valuable to many communities.

24 BOARD MEMBER ROBERTI: Madam Chair?

25 CHAIRPERSON MOULTON-PATTERSON: Thank you.

1 Senator.

2 BOARD MEMBER ROBERTI: I'd like to mention that
3 Ms. Lukacs, I first met her -- I went to the Los Angeles
4 Convention Center where she was in charge of cleaning up
5 the various projects at the convention center. And she
6 was in charge of cleanup and recycling and reduction of
7 the 2000 Democratic National Convention. So that's a
8 public venue if there ever is one.

9 CHAIRPERSON MOULTON-PATTERSON: Right.

10 And thank you very much. And I just noticed
11 Saturday night, at the Hollywood Bowl, no recycling. So
12 that would be a great place to start also. I'm sure
13 there's many.

14 MS. LUKACS: It's amazing how many public venues
15 don't have recycling programs.

16 CHAIRPERSON MOULTON-PATTERSON: It is.

17 Thank you for commenting.

18 That concludes our regular agenda.

19 Any final public comments?

20 Hearing none, I now have a choice for the Board.
21 Our closed session is publicly noticed for 9:30 tomorrow
22 morning. But I understand from Legal that we can change
23 that since it is a closed session.

24 Do you wish to do this after lunch, or do you
25 want to keep it at 9:30?

1 CHAIRPERSON MOULTON-PATTERSON: After Lunch?

2 Okay. Shall we make it two? Will that give
3 everybody a good enough lunch?

4 Okay. We'll have our closed session at two. And
5 our usual room, is that available, Deborah?

6 Thank you.

7 And thank you everyone and staff.

8 (Thereupon the California Integrated Waste
9 Management Board meeting adjourned at
10 12:30 p.m.)
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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board
7 meeting was reported in shorthand by me, James F. Peters,
8 a Certified Shorthand Reporter of the State of California,
9 and thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 1st day of August, 2002.

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